

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, TOWSON YMCA, legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing Under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an amendment to the site plan filed with Special Exception Case No. 67-136-X to allow the construction of an addition for handball courts and expansion of the existing parking areas.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser: John Burgess, Executive Director, Towson YMCA, 600 W. Chesapeake, Towson, MD. Legal Owner: Towson YMCA, 600 W. Chesapeake, Towson, MD. Protestants Attorney: Richard C. Whiteford, Whiteford, Taylor, Preston, et al., 2000 First Maryland Building, Baltimore, Maryland 21201.

ORDERED By the Zoning Commissioner of Baltimore County, this 7th day of April, 1980, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 13th day of May, 1980, at 1:30 o'clock P.M.

Signature of Zoning Commissioner of Baltimore County

(over)

98-232-504

Vertical stamp: RECEIVED... MAY 14 1980... BALTIMORE COUNTY...

It is FURTHER ORDERED that the amendment to the site plan filed in Case No. 67-136-X to provide parking adjacent to the easterly property line, as requested in the herein Petition for Special Hearing, be and the same is hereby DISMISSED with prejudice.

Signature of Zoning Commissioner of Baltimore County

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Signature of Zoning Commissioner of Baltimore County

(over)

ORDER RECEIVED FOR FILING

DATE July 24 1980 BY [Signature]

It is FURTHER ORDERED that the amendment to the site plan filed in Case No. 67-136-X to provide parking adjacent to the easterly property line, as requested in the herein Petition for Special Hearing, be and the same is hereby DISMISSED with prejudice.

Signature of Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITIONER'S EXHIBIT 2

PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 2, 1980

COUNTY OFFICE BLDG. 123 W. Chesapeake Ave. Towson, Maryland 21204

Richard C. Whiteford, Esquire, 2000 First Maryland Building, Baltimore, Maryland 21201

- MEMBERS: Bureau of Engineering, Department of Traffic Engineering, State Roads Commission, Bureau of Fire Prevention, Health Department, Project Planning, Building Department, Board of Education, Zoning Administration, Industrial Development

RE: Item No. 168, Petitioner - Towson YMCA, Special Hearing Petition

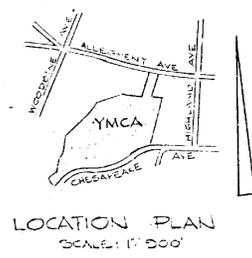
Dear Mr. Whiteford:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

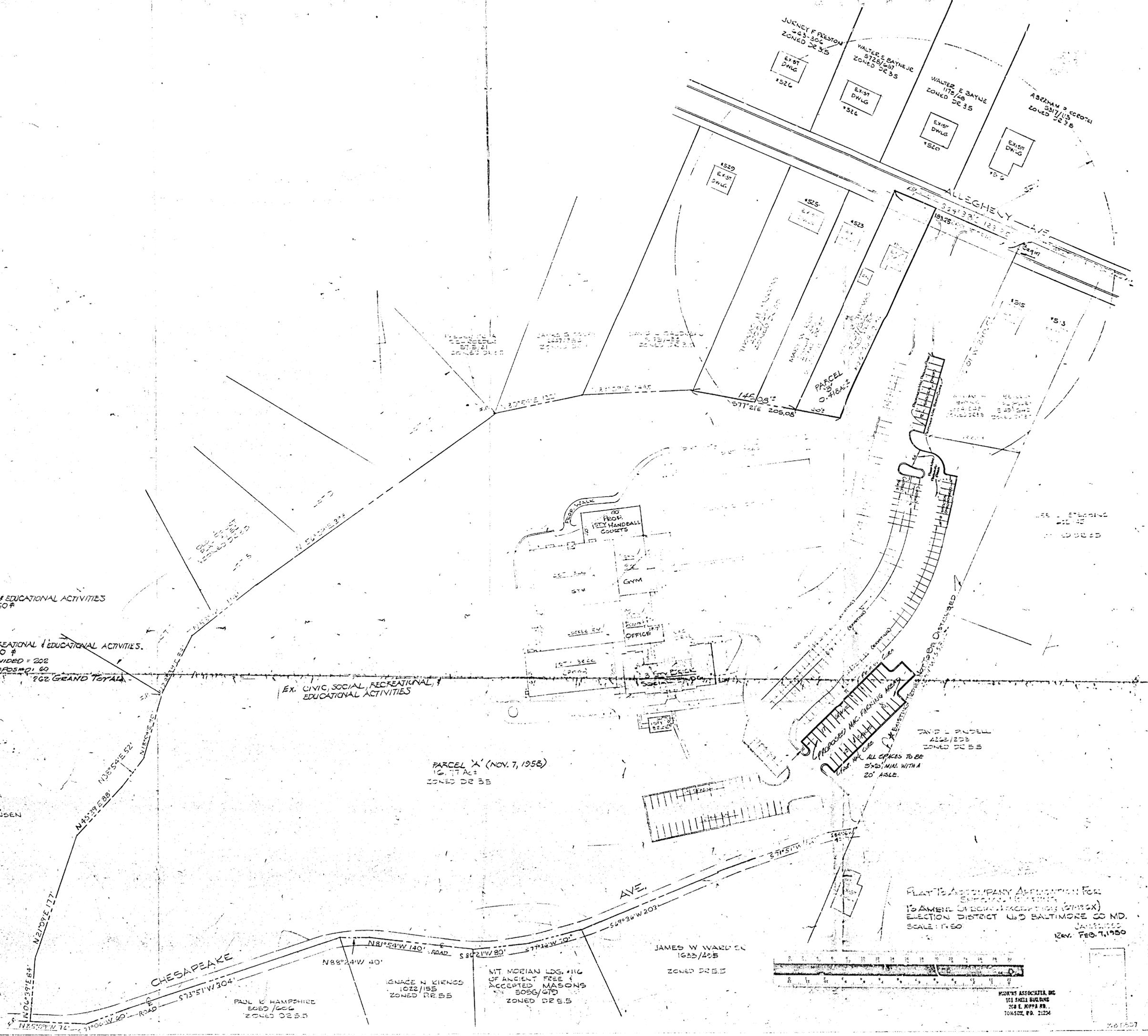
Because of your client's proposal to construct an addition to the existing Towson YMCA, this Special Hearing to amend the original site plan that was granted as a result of Case No. 67-136X, is required.

Particular attention should be afforded to the comments of the Office of Planning, concerning the proposed screening, the comments of the Department of Permits and Licenses, concerning the type of construction of the proposed addition, and also these comments from the Fire Department. For further information on the comments from the latter department, I suggest you contact Captain Kelly at 494-3985.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted.



- NOTES:
1. PARCEL A
 A. AREA: 16.77 AC. ±
 B. ZONING: DR 3.5
 C. EX. USE: RESIDENTIAL
 D. PRO. USE: CIVIC, SOCIAL, RECREATIONAL & EDUCATIONAL ACTIVITIES
 E. TOTAL BUILDING AREA: 60,360 #
 F. TOTAL PARKING SPACES PROVIDED: 202
 G. TOTAL PARKING SPACES PROPOSED: 160
 H. GRAND TOTAL: 362
 2. PARCEL B
 A. AREA: 0.418 AC. ±
 B. EX. ZONING: DR 3.5
 C. EX. USE: RESIDENTIAL
 D. PRO. USE: CIVIC, SOCIAL, RECREATIONAL & EDUCATIONAL ACTIVITIES
 E. TOTAL BUILDING AREA: 1,060 #
 F. TOTAL PARKING SPACES PROVIDED: 202
 G. TOTAL PARKING SPACES PROPOSED: 160
 H. GRAND TOTAL: 362



PLAT TO ACCOMPANY APPLICATION FOR
 SUPPLEMENTAL ZONING
 TO AMEND CHESAPEAKE ELECTION DISTRICT NO. 3 (DR-3.5)
 ELECTION DISTRICT NO. 3 BALTIMORE CO. MD.
 SCALE: 1" = 50'
 JANUARY 1950
 12th FEB. 7, 1950



MCKIN'S ASSOCIATES, INC.
 101 SMITH BUILDING
 210 E. JOPPA RD.
 TOWSON, MD. 21286

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that:

1. On January 16, 1967, an Order was rendered for the subject property by former Zoning Commissioner John G. Rose granting a special exception for a gymnasium building for civic, social, recreational, and educational activities (Case No. 67-136-X).
2. Subsequent thereto, the Petitioner filed the subject Petition for Special Hearing to approve "an amendment to the site plan filed with Special Exception Case No. 67-136-X to allow the construction of an addition for handball courts and expansion of the existing parking areas", both in accordance with the site plan prepared by Hudkins Associates, Inc., revised April 4, 1980, and marked Petitioner's Exhibit 1.
3. Testimony presented by the Petitioner was to the effect that demand by their members necessitated the need to expand their facilities to provide additional handball courts and, although their present parking spaces meet the County parking requirements for the existing facilities and the proposed addition, provide additional parking adjacent to the easterly property line for anticipated overflow.
4. The Protestants offered testimony indicating existing storm water run-off problems, increase in traffic problems by reason of the usage of the present facilities, lack of security or control over usage, and the usage of the property amounting to a general nuisance to the property owners in the area.
5. The Petitioner, by letter dated May 19, 1980, withdrew the request for additional parking as provided for and shown on the aforementioned site plan marked Petitioner's Exhibit 1.
6. To approve the amendment will not be detrimental to the health, safety, and general welfare of the community and will be within the spirit and intent of the Baltimore County Zoning Regulations.

and, therefore,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 24th day of July, 1980, that the amendment to the site plan filed in Case No. 67-136-X to allow the construction of an addition (40' x 80') to the existing improvements for handball courts, in accordance with the above referred to site plan, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The construction or installation of a storm water retention facility, as approved by the Department of Public Works, sufficient to handle the increase in the storm water run-off by those improvements made to the Petitioner's property since January 16, 1967, including the proposed addition.
2. The placement of trash containers, as approved by the Office of Planning and Zoning, so as to minimize the dumping or depositing of trash on neighboring properties.
3. The development of a plan of security to prevent the parking of vehicles on the Petitioner's property by those persons not availing themselves of the Petitioner's facilities.
4. A revised site plan shall be submitted, incorporating thereon all of the above restrictions and deleting therefrom the proposed parking adjacent to the easterly property line, and approved by the Department of Public Works and the Office of Planning and Zoning, including landscaping and screening approval by the Current Planning and Development Division.

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that:

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ORDER RECEIVED FOR FILING

DATE July 24, 1980
BY [Signature]
ADMINISTRATIVE ASSISTANT

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR
March 27, 1980

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #168 (1979-1980)
Property Owner: Towson YMCA
5/S Allegheny Avenue 480' W. Highland Avenue
Existing Zoning: DR 3.5
Proposed Zoning: Special Hearing to amend Case No. 67-136-X to allow for expansion.
Acres: 17.19 District: 9th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Allegheny Avenue, formerly State Route 141 and now a County road, is proposed to be further improved in the future as a 44-foot closed section roadway on a 60-foot right-of-way in this vicinity.

Chesapeake Avenue, an existing public road, is proposed to be improved in the future on a 60-foot right-of-way.

Highway rights-of-way widenings, including any necessary reversible easements for slopes, will be required in connection with any grading or building permit application.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

Item #168 (1979-1980)
Property Owner: Towson YMCA
Page 2
March 27, 1980

Storm Drains: (Cont'd)

In accordance with the drainage policy, the Petitioner is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall.

Open stream drainage requires a drainage reservation or easement of sufficient width to cover the flood plain of a 100-year design storm. However, a minimum width of 50 feet is required.

Any storm drains required, in connection with further development of this property, are to be designed and constructed in accordance with Baltimore County Standards and Specifications.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Sanitary Sewer:

Public water supply is serving this property. There are public 12 and 6-inch water mains in Allegheny and Chesapeake Avenues, respectively. Baltimore County has initiated a project to design a 12-inch public water main to replace the present 6-inch water main in Chesapeake Avenue from Bosley Avenue to the YMCA building.

Public sanitary sewerage is serving this property. There is public 8-inch sanitary sewerage in Allegheny and Chesapeake Avenues.

Very truly yours,

[Signature]
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

cc: J. Somers

O-NE and N-NW Key Sheets
38 and 39 NE and NW 1 Pos. Sheets
NE and NW 10 A Topo
70 Tax Map

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3211

JOHN D. SEYFFERT
DIRECTOR

April 21, 1980

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comment on Item #168, Zoning Advisory Committee Meeting, February 19, 1980, are as follows:

Property Owner: Towson YMCA
Location: 5/S Allegheny Avenue 480' W. Highland Avenue
Existing Zoning: D.R.3.5
Proposed Zoning: Special Hearing to amend Case No. 67-136-X to allow for expansion
Acres: 17.19
District: 9th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

Four foot high compact screening must be provided where the parking areas are across the street or adjacent to residential premises.

Very truly yours,

[Signature]
John L. Wimbley
Planner III
Current Planning and Development

Item No. 168
Special Hearing Petition
May 2, 1980

for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,

[Signature]
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:hk

Enclosures

cc: Hudkins Associates, Inc.
101 Shell Building
200 E. Joppa Rd.
Towson, Md. 21204

baltimore county
department of traffic engineering
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHEN E. COLLINS
DIRECTOR

April 21, 1980

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 168 - ZAC - Meeting of February 19, 1980
Property Owner: Towson YMCA
Location: 5/S Allegheny Ave. 480' W. Highland Avenue
Existing Zoning: D.R. 3.5
Proposed Zoning: Special Hearing to amend Case No. 67-136-X to allow for expansion.

Acres: 17.19
District: 9th

Dear Mr. Hammond:

The proposed expansion of this site is not expected to cause any major traffic problems.

Very truly yours,

[Signature]
Michael S. Flanigan
Traffic Engineering Associate II

MSF/mjm

March 25, 1980

Mr. William E. Hammond, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item # 168, Zoning Advisory Committee meeting of February 19, 1980, are as follows:

Property Owner: Towson YMCA Location: S/S Allegheny Avenue 480' W Highland Avenue D.R. 3.5 Existing Zoning: D.R. 3.5 Proposed Zoning: Special Hearing to amend Case No. 67-136-X to allow for expansion Acres: 17.19 District: 9

Metropolitan water and sewer exist; therefore, no health hazards are anticipated.

Very truly yours,

Ian J. Forrest, Director BUREAU OF ENVIRONMENTAL SERVICES

IJF/mw

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER S/S Allegheny Ave., 480' W of Highland Ave., 9th District : OF BALTIMORE COUNTY TOWSON YMCA, Petitioners : Case No. 80-232-SPH

ORDER TO ENTER APPEARANCE

Mr. Commissioners:

Pursuant to the authority contained in Section 524,1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman, John W. Hession, III, Deputy People's Counsel

I HEREBY CERTIFY that on this 28th day of April, 1980, a copy of the foregoing Order was mailed to Richard C. Whiteford, Esquire, Whiteford, Taylor, Preston, et al., 2000 First Maryland Building, Baltimore, Maryland 21201, Attorney for Petitioner.

John W. Hession, III

PAUL H. REINCKE CHIEF

February 29, 1980

Mr. William Hammond, Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Attention: Nick Commodori, Chairman Zoning Plans Advisory Committee

Re: Property Owner: Towson YMCA

Location: S/S Allegheny Ave. 480' W Highland Ave.

Item No: 168 Zoning Agenda: 2-19-80

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

- (x) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works. Along Chesapeake Ave.
2. A second means of vehicle access is required for the site.
3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department.
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy. See Section 16-4.2.1, and Section 16-4.2.3.
6. Site plans are approved as drawn.
7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: Noted and Approved: Special Inspection Division Fire Prevention Bureau

IN RE : BEFORE THE PETITION OF TOWSON YMCA : ZONING COMMISSIONER FOR AMENDMENT TO THE SITE : PLAN FILED WITH SPECIAL EXCEPTION CASE NO. 67-136-X : OF Case No. 80-232-SPH : BALTIMORE COUNTY

AMENDED NOTICE TO APPEAL

MR. COMMISSIONER:

Please enter an appeal by the Petitioner, Towson YMCA, from the Order of the Zoning Commissioner dated July 24, 1980. This appeal is limited to an appeal of Restriction No. 1 contained in the Order.

Richard C. Whiteford, Attorney for Petitioner, Towson YMCA

I HEREBY CERTIFY that a copy of the foregoing Amended Notice to Appeal was mailed this 21st day of August, 1980, to:

- Mr. Loren Jensen, Mrs. Joan Moore, Mr. William S. Baldwin, Mr. G. F. Hanson, Mrs. Berkley Matthews, Mrs. Mary Ginn, Mr. Anthony Lavazzo, John W. Hession, III, Esquire

Richard C. Whiteford

TED ZALESKI, JR. DIRECTOR

February 26, 1980

Mr. William E. Hammond, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #168 Zoning Advisory Committee Meeting, February 19, 1980 are as follows:

Property Owner: Towson YMCA Location: S/S Allegheny Ave. 480' W Highland Ave. Existing Zoning: D.R. 3.5 Proposed Zoning: Special Hearing to amend Case No. 67-136-X to allow for expansion

Acres: 17.19 District: 9th

The items checked below are applicable:

- X A. All structures shall conform to the Baltimore County Building Code 1978, the State of Maryland Code for the Handicapped and Aged, and other applicable Codes.
X B. A building/ permit shall be required before beginning construction.
C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/ is not required.
X D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
E. In wood frame construction an exterior wall erected within 6' 0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'-0" of lot line. A minimum 8" masonry firewall is required if construction is on the lot line.
F. Requested variance conflicts with the Baltimore County Building Code, Section/s.
G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can classification of Table 211.
X I. Comments: It is assumed a professional has been consulted on the proposed addition and that it can be added to the existing building under the 1978 B.O.C.A. Code.

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., Towson.

Very truly yours, Charles E. Burbanck, Chief Plans Review

CEB:rrj

IN RE : BEFORE THE PETITION OF TOWSON YMCA : ZONING COMMISSIONER FOR AMENDMENT TO THE SITE : PLAN FILED WITH SPECIAL EXCEPTION CASE NO. 67-136-X : OF Case No. 80-232-SPH : BALTIMORE COUNTY

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Richard C. Whiteford

TED ZALESKI, JR. DIRECTOR

April 14, 1980

Mr. William E. Hammond, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

REVISED Comments on Item #168 Zoning Advisory Committee Meeting, April 15, 1980 are as follows:

Property Owner: Towson YMCA Location: S/S Allegheny Ave. 480' W Highland Ave. Existing Zoning: D.R. 3.5 Proposed Zoning: Special Hearing to amend Case No. 67-136-X to allow for expansion

Acres: 17.19 District: 9th

The items checked below are applicable:

- X A. All structures shall conform to the Baltimore County Building Code 1978, the State of Maryland Code for the Handicapped and Aged, and other applicable Codes.
X B. A building/ permit shall be required before beginning construction.
C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/ is not required.
X D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
E. In wood frame construction an exterior wall erected within 6' 0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'-0" of lot line. A minimum 8" masonry firewall is required if construction is on the lot line.
F. Requested variance conflicts with the Baltimore County Building Code, Section/s.
G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
X H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can classification of Table 211.
I. Comments:

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., Towson.

Very truly yours, Charles E. Burbanck, Chief Plans Review

CEB:rrj

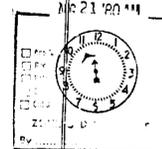
IN RE : BEFORE THE PETITION OF TOWSON YMCA : ZONING COMMISSIONER FOR AMENDMENT TO THE SITE : PLAN FILED WITH SPECIAL EXCEPTION : OF Case No. 67-136-X : BALTIMORE COUNTY

NOTICE OF APPEAL

MR. COMMISSIONER:

Please enter an appeal by the Petitioner, Towson YMCA, from the Order of the Zoning Commissioner dated July 24, 1980. This appeal is limited to an appeal of Restriction No. 1 contained in the Order.

Richard C. Whiteford, Attorney for Petitioner, Towson YMCA



RE: PETITION FOR SPECIAL HEARING : IN THE CIRCUIT COURT
 Amendment to site plan : FOR BALTIMORE COUNTY
 S/S Allegheny Ave., 430' :
 W of Highland Ave., 9th District :
 TOWSON YMCA, Petitioner : AT LAW
 Zoning Case No. 80-232-SPH : Misc. Docket No. 13
 : Folio No. 264
 : File No. 7614

ORDER FOR APPEAL

Mr. Clerk:

Please note an appeal on behalf of the People's Counsel for Baltimore County to the Circuit Court for Baltimore County from the Opinion of the County Board of Appeals dated July 16, 1981, in the above-entitled case.

RECEIVED
 BALTIMORE COUNTY
 AUG 14 10 13 AM '81
 COUNTY BOARD
 OF APPEALS
 BY

John W. Hession, III
 John W. Hession, III
 Rm. 223, Court House
 Towson, Maryland 21204
 494-2188

Peter Max Zimmerman
 Peter Max Zimmerman
 Deputy People's Counsel

I HEREBY CERTIFY THAT on this 14th day of August, 1981, a copy of the foregoing Order for Appeal was delivered to the Administrative Secretary, County Board of Appeals, Rm. 200, Court House, Towson, Maryland 21204; and a copy thereof was mailed to Richard C. Whiteford, Esquire, Whiteford, Taylor, Preston, et al., 2000 First Maryland Building, Baltimore, Maryland 21201; Mr. Loren Jensen, 10 Burnbrae Road, Towson, Maryland 21204; Mr. William S. Baldwin, 406 Campbell Lane, Towson, Maryland 21204; Mrs. Berkley Matthews, 612 Joppa Road, Towson, Maryland 21204; Mr. Anthony Lavazzo, 612 Allegheny Avenue, Towson, Maryland 21204; Mrs. Joan Moore, 512 West Chesapeake Avenue, Towson, Maryland 21204; Mr. G. F. Hanson, 303 Dixie Drive, Towson,

Towson YMCA
 Case No. 80-232-SPH

- The placement of trash containers, as approved by the Office of Planning and Zoning, so as to minimize the dumping or depositing of trash on neighboring properties.
- The development of a plan of security to prevent the parking of vehicles on the Petitioner's property by those persons not availing themselves of the Petitioner's facilities.
- A revised site plan shall be submitted, incorporating thereon all of the above restrictions and deleting therefrom the proposed parking adjacent to the easterly property line, and approved by the Department of Public Works and the Office of Planning and Zoning, including landscaping and screening approval by the Current Planning and Development Division.

It is FURTHER ORDERED that the amendment to the site plan filed in Case No. 67-136-X to provide parking adjacent to the easterly property line, as requested in the herein Petition for Special Hearing, be and the same is hereby DISMISSED with prejudice.

Any appeal from this decision must be in accordance with Rules B-1 thru B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
 OF BALTIMORE COUNTY

William T. Hackett
 William T. Hackett, Chairman

John A. Miller
 John A. Miller

John V. Murphy
 John V. Murphy

Maryland 21204; and Mrs. Mary Ginn, 606 Horncrest Road, Towson, Maryland 21204.

John W. Hession, III
 John W. Hession, III

RE: PETITION FOR SPECIAL HEARING : IN THE
 Amendment to site plan : CIRCUIT COURT
 S/S Allegheny Ave., 480' W of :
 Highland Ave., 9th District : FOR
 TOWSON YMCA, Petitioner : BALTIMORE COUNTY
 Zoning Case No. 80-232-SPH : AT LAW
 John W. Hession, III, Esq., : Misc. Docket No. 13
 People's Counsel, Appellant : Folio No. 264
 : File No. 7614

CERTIFICATE OF NOTICE

Mr. Clerk:

Pursuant to the provisions of Rule B-2(d) of the Maryland Rules of Procedure, William T. Hackett, John A. Miller, and John V. Murphy, constituting the County Board of Appeals of Baltimore County, have given notice by mail of the filing of the appeal to the representative of every party to the proceeding before it; namely, Richard C. Whiteford, Esq., 2000 First Maryland Bldg., Baltimore, Md. 21201, Counsel for the Petitioner; Towson YMCA, Mr. John Burgess, Executive Director, 600 W. Chesapeake Ave., Towson, Md. 21204, Petitioner; Mr. Loren Jensen, 10 Burnbrae Rd., Towson, Md., 21204, Protestant; Mr. William S. Baldwin, 406 Campbell Lane, Towson, Md. 21204, Protestant; Mrs. Berkley Matthews, 612 Joppa Rd., Towson, Md. 21204, Protestant; Mr. Anthony Lavazzo, 612 Allegheny Ave., Towson, Md. 21204, Protestant; Mrs. Joan Moore, 512 W. Chesapeake Ave., Towson, Md. 21204, Protestant; Mr. G. F. Hanson, 303 Dixie Dr., Towson, Md. 21204, Protestant; Mrs. Mary Ginn, 606 Horncrest Road, Towson, Md. 21204, Protestant; and John W. Hession, III, Esq., Court House, Towson, Md., 21204, People's Counsel for Baltimore County, a copy of which Notice is attached hereto and prayed that it may be made a part thereof.

June Holman
 June Holman
 County Board of Appeals of Baltimore County
 Rm. 200, Court House, Towson, Md. 21204
 Telephone: 494-3190

RE: SPECIAL HEARING : BEFORE
 Amendment to site plan : COUNTY BOARD OF APPEALS
 South side Allegheny Avenue, :
 480' west of Highland Avenue : OF
 9th District :
 TOWSON YMCA, : BALTIMORE COUNTY
 Petitioner : No. 80-232-SPH

OPINION

This case comes before this Board on appeal from a decision of the Zoning Commissioner dated July 24, 1980, granting the amendment to the site plan filed in Case No. 67 136-X to allow the construction of some additional hand-ball courts to the facility with restrictions. It should be noted that an appeal to this Order was taken by a protestant and an appeal from the petitioner also. The petitioner's appeal, however, relates only to their compliance with restriction #1.

Petitioner's appeal centered on the wording of Restriction #1, requiring storm water control for all improvements on the property since January 16, 1967, including the proposed addition. Mr. David Billingsley, a design engineer with Hudkins Associates, testified that a holding pond could be built in such a manner that the water run-off could be adequately controlled from the existing buildings plus the proposed hand-ball courts and the tennis courts, this being about 3 1/2 acres of impervious area, but that there was no practical way to control the water run-off from the existing parking area. He presented the Board a topo-map of this location as Petitioner's Exhibit B to substantiate this. Dr. Loren Jensen, a property owner whose holdings abut the subject site to the north, testified in favor of this proposal as did John W. Burgess, Executive Director of this Y.M.C.A.

William Baldwin, 406 Camel Lane, whose property abuts the subject site to the east, testified in opposition to the granting of this amended site plan. He testified that he has resided there since 1964, before the Y.M.C.A. acquired this property. He stated that there are severe icing conditions on Chesapeake Avenue in the winter, generated

Towson YMCA
 Case No. 80-232-SPH

I HEREBY CERTIFY that a copy of the foregoing Certificate of Notice has been mailed to Richard C. Whiteford, Esq., 2000 First Maryland Bldg., Baltimore, Md., 21201, Counsel for the Petitioner; Towson YMCA, Mr. John Burgess, Executive Director, 600 W. Chesapeake Ave., Towson, Md. 21204, Petitioner; Mr. Loren Jensen, 10 Burnbrae Rd., Towson, Md. 21204, Protestant; Mr. William S. Baldwin, 406 Campbell Lane, Towson, Md. 21204, Protestant; Mrs. Berkley Matthews, 612 Joppa Rd., Towson, Md. 21204, Protestant; Mr. Anthony Lavazzo, 612 Allegheny Ave., Towson, Md. 21204, Protestant; Mrs. Joan Moore, 512 W. Chesapeake Ave., Towson, Md. 21204, Protestant; Mr. G. F. Hanson, 303 Dixie Dr., Towson, Md. 21204, Protestant; Mrs. Mary Ginn, 606 Horncrest Road, Towson, Md. 21204, Protestant; and John W. Hession, III, Esq., Court House, Towson, Md. 21204, People's Counsel for Baltimore County, on this 17th day of August, 1981.

June Holman
 June Holman
 County Board of Appeals of Baltimore County

cc: J. E. Dyer
 W. Hammond
T. Rigel
J. Howell

Towson YMCA
 Case No. 80-232-SPH

by the water run-off from this facility. He also stated that there are some traffic problems at present and could only visualize these as being compounded by the additional facilities requested. He also stated there are other discipline problems associated with the present use, i.e., drag races at night, no fencing on perimeters, considerable debris from the restaurant and sandwich shop, and problems with pedestrian traffic using his property as a short-cut to the Y.M.C.A. For all these reasons, Mr. Baldwin objected to the granting of the amended site plan allowing the additional hand-ball courts and accompanying increase in activities.

After consideration of all the testimony and evidence presented the Board this day, the Board is of the opinion that the Zoning Commissioner's Order should be affirmed. Mr. Baldwin's testimony was carefully considered. Since the new proposal for control of water run-off will divert some water now going onto Chesapeake Avenue to the holding pond, the icing condition could be improved. The other problems associated with the use of the subject site would not be cured by denying petitioner's request and in the opinion of the Board would not be significantly worsened by its granting. On recall testimony, Mr. Burgess testified that he is working with the police department on patrolling the property and has now employed custodians to remain on the property through the night time hours. For all these reasons, the Board will affirm the Order of the Zoning Commissioner dated July 24, 1980, with the exception that Restriction #1 be amended and will so order.

ORDER

For the reasons set forth above, it is this 16th day of July, 1981, by the County Board of Appeals, ORDERED that the Order of the Zoning Commissioner dated July 24, 1980, be AFFIRMED with the following restrictions:

- The construction or installation of a storm water retention facility, as approved by the Department of Public Works, sufficient to handle the storm water run-off from the existing buildings, existing tennis courts and the proposed additional hand-ball courts. No change in the water run-off control from the existing parking lot is to be required.

RE: PETITION FOR SPECIAL HEARING : IN THE CIRCUIT COURT
 Amendment to site plan : FOR BALTIMORE COUNTY
 S/S Allegheny Ave., 480' :
 W of Highland Ave., 9th District : AT LAW
 TOWSON YMCA, Petitioner : Misc. Docket No. 13
 Zoning Case No. 80-232-SPH : Folio No. 264
 John W. Hession, III : File No. 7614
 People's Counsel, Appellant

PETITION ON APPEAL

The People's Counsel for Baltimore County, Protestant below and Appellant herein, having heretofore filed an Order for Appeal from the Order of the County Board of Appeals of Baltimore County, under date of July 16, 1981, granting the petition for special hearing for the Petitioner's property situate on the south side of Allegheny Avenue, west of Highland Avenue, in the 9th Election District of Baltimore County, in compliance with Maryland Rule B-2(e), files this Petition on Appeal setting forth the grounds upon which this appeal is taken, viz:

1. That the County Board of Appeals in its said Order ignored the problems associated with unauthorized use of the parking areas maintained by the Petitioner and, while it did require Petitioner to undertake development of a plan to prevent the unauthorized use of its parking facilities, it did not require, as it should have, that Petitioner be required, as an integral part of the special hearing granted herein, to take all necessary steps to eliminate the other unauthorized use of its said facilities.

2. That the County Board of Appeals should not have granted said special hearing authorizing additional facilities, and therefore additional and more intensive vehicular and pedestrian use of its property, and the adjacent highways and property of others, in the face of uncontradicted testimony before it as to the present existence of those problems.

RECEIVED
 BALTIMORE COUNTY
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 COUNTY BOARD
 OF APPEALS

WHEREFORE, Appellant prays that the Order of the Board of Appeals of Baltimore County, under date of July 16, 1981, be reversed.

AND AS IN DUTY BOUND, etc.,

John W. Hession, III
People's Counsel for Baltimore County

Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 21st day of August, 1981, a copy of the foregoing Petition on Appeal was delivered to the Administrative Secretary, County Board of Appeals, Rm. 200, Court House, Towson, Maryland 21204; and a copy thereof was mailed to Richard C. Whiteford, Esquire, Whiteford, Taylor, Preston, et al., 2000 First Maryland Building, Baltimore, Maryland 21201; Mr. Loren Jensen, 10 Bumbroe Road, Towson, Maryland 21204; Mr. William S. Baldwin, 406 Campbell Lane, Towson, Maryland 21204; Mrs. Berkley Matthews, 612 Joppa Road, Towson, Maryland 21204; Mrs. Joan Moore, 512 West Chesapeake Avenue, Towson, Maryland 21204; Mr. G. F. Hanson, 303 Dixie Drive, Towson, Maryland 21204; and Mrs. Mary Ginn, 605 Hancock Road, Towson, Maryland 21204.

John W. Hession, III

Case No. 7614
John W. Hession, III, Peter Max Zimmerman
Richard C. Whiteford
PEOPLE'S COUNSEL FOR BALTIMORE COUNTY
PETITION FOR SPECIAL HEARING
TOWSON YMCA, Petitioner
COUNTY BOARD OF APPEALS
PROTESTANTS

- (1) August 14, 1981 People's Counsel's Order for Appeal from the opinion of the County Board of Appeals fd.
(2) August 17, 1981 - Certificate of Notice from County Board of Appeals fd.
(3) Aug. 21, 1981 Appellant's Petition fd.
(4) Sept. 4, 1981 - Transcript of Record from the County Board of Appeals fd.
(5) Sept. 4, 1981 - Notice of Filing of Record fd. Copy sent.
(6) Sept. 14, 1981 - Deft's (Towson YMCA) Answer to Appeal fd.
Dec. 2, 1981 Hon. Austin W. Prizendine. Hearing had. County Board of Appeals AFFIRMED per verbal Opinion of the Court.

RE: PETITION FOR SPECIAL HEARING IN THE
Amendment to site plan S/S Allegheny Ave., 480' W of Highland Ave., 9th District
Towson YMCA, Petitioner BALTIMORE COUNTY
Zoning Case No. 80-232-SPH AT LAW
John W. Hession, III, Esq., People's Counsel, Appellant Misc. Docket No. 13
Folio No. 264
File No. 7614

CERTIFIED COPIES OF PROCEEDINGS BEFORE THE ZONING COMMISSIONER AND BOARD OF APPEALS OF BALTIMORE COUNTY

TO THE HONORABLE, THE JUDGE OF SAID COURT:

And now come William T. Hackett, John A. Miller and John V. Murphy, constituting the County Board of Appeals of Baltimore County, and in answer to the Order for Appeal directed against them in this case, herewith return the record of proceedings had in the above entitled matter, consisting of the following certified copies or original papers on file in the office of the Zoning Department of Baltimore County:

ZONING ENTRIES FROM DOCKET OF ZONING COMMISSIONER OF BALTIMORE COUNTY

- No. 80-232-SPH
April 7, 1980 Petition of Towson YMCA for special hearing for an amendment to the site plan filed with Special Exception Case No. 67-136-X to allow the construction of an addition for handball courts and expansion of the existing parking areas
April 7, 1980 Order of Zoning Commissioner directing advertisement and posting of property - date of hearing set for May 13, 1980, at 1:30 p.m.
April 24, 1980 Certificate of Publication in newspaper - filed
April 27, 1980 " " Posting of property - filed
May 2, 1980 Comments of Baltimore County Zoning Plans Advisory Committee - filed

RE: SPECIAL HEARING BEFORE
Amendment to site plan South side Allegheny Avenue, 480' west of Highland Avenue 9th District
COUNTY BOARD OF APPEALS
OF
TOWSON YMCA, BALTIMORE COUNTY
Petitioner No. 80-232-SPH

OPINION

This case comes before this Board on appeal from a decision of the Zoning Commissioner dated July 24, 1980, granting the amendment to the site plan filed in Case No. 67-136-X to allow the construction of some additional hand-ball courts to the facility with restrictions. It should be noted that an appeal to this Order was taken by a protestant and an appeal from the petitioner also. The petitioner's appeal, however, relates only to their compliance with restriction #1.

Petitioner's appeal centered on the wording of Restriction #1, requiring storm water control for all improvements on the property since January 16, 1967, including the proposed addition. Mr. David Billingsley, a design engineer with Hudkins Associates, testified that a holding pond could be built in such a manner that the water run-off could be adequately controlled from the existing buildings plus the proposed hand-ball courts and the tennis courts, this being about 3 1/2 acres of impervious area, but that there was no practical way to control the water run-off from the existing parking area. He presented the Board a topo-map of this location as Petitioner's Exhibit B to substantiate this. Dr. Loren Jensen, a property owner whose holdings abut the subject site to the north, testified in favor of this proposal as did John W. Burgess, Executive Director of this Y.M.C.A.

William Baldwin, 406 Camel Lane, whose property abuts the subject site to the east, testified in opposition to the granting of this amended site plan. He testified that he has resided there since 1964, before the Y.M.C.A. acquired this property. He stated that there are severe icing conditions on Chesapeake Avenue in the winter, generated

Towson YMCA File No. 80-232-SPH
April 13, 1980 At 1:30 p.m. hearing held on petition by Zoning Commissioner
July 24, 1980 Order of Zoning Commissioner granting amendment to the site plan for improvements to handball courts, subject to restrictions, and dismissing amendment to the site plan to provide parking adjacent to the easterly property line
August 15, 1980 Order of Appeal to County Board of Appeals from Order of Zoning Commissioner filed by William S. Baldwin
August 21, 1980 Order of Appeal to County Board of Appeals from Order of Zoning Commissioner filed by Richard C. Whiteford, Esq., Counsel for Petitioner, Towson YMCA
April 16, 1981 Hearing on appeal before County Board of Appeals
July 16, 1981 Order of County Board of Appeals affirming Order of the Zoning Commissioner with restrictions
August 14, 1981 Order for Appeal filed in the Circuit Court for Baltimore County by People's Counsel for Baltimore County
August 17, 1981 Certificate of Notice sent to all interested parties
August 21, 1981 Petition to accompany Order for Appeal filed in Circuit Court for Baltimore County
Sept. 3, 1981 Transcript of testimony filed - 1 volume
Petitioner's Exhibit No. 1 - Marked up plat of subject site
" " " 2 - Topo map of area
People's Counsel Exhibit No. 1a to 1h - Series of photos of subject site and surrounding area
Sept. 4, 1981 Record of proceedings filed in the Circuit Court for Baltimore County
Record of proceedings pursuant to which said Order was entered and said Board acted are permanent records of the Zoning Department of Baltimore County, and your respondents respectively suggest that it would be inconvenient and inappropriate to file the same in this proceeding, but your respondents will produce any and all such rules and regulations whenever directed to do so by this Court.

Respectfully submitted,
June Holmen
County Board of Appeals of Baltimore County

cc: Richard C. Whiteford, Esq.
John W. Hession, III, Esq.

Towson YMCA Case No. 80-232-SPH
by the water run-off from this facility. He also stated that there are some traffic problems at present and could only visualize these as being compounded by the additional facilities requested. He also stated there are other discipline problems associated with the present use, i.e., drag races at night, no fencing on perimeters, considerable debris from the restaurant and sandwich shop, and problems with pedestrian traffic using his property as a short-cut to the Y.M.C.A. For all these reasons, Mr. Baldwin objected to the granting of the amended site plan allowing the additional hand-ball courts and accompanying increase in activities.
After consideration of all the testimony and evidence presented the Board this day, the Board is of the opinion that the Zoning Commissioner's Order should be affirmed. Mr. Baldwin's testimony was carefully considered. Since the new proposal for control of water run-off will divert some water now going onto Chesapeake Avenue to the holding pond, the icing condition could be improved. The other problems associated with the use of the subject site would not be cured by denying petitioner's request and in the opinion of the Board would not be significantly worsened by its granting. On recall testimony, Mr. Burgess testified that he is working with the police department on patrolling the property and has now employed custodians to remain on the property through the night time hours. For all these reasons, the Board will affirm the Order of the Zoning Commissioner dated July 24, 1980, with the exception that Restriction #1 be amended and will so order.

ORDER

For the reasons set forth above, it is this 16th day of July, 1981, by the County Board of Appeals, ORDERED that the Order of the Zoning Commissioner dated July 24, 1980; be AFFIRMED with the following restrictions:

- 1. The construction or installation of a storm water retention facility, as approved by the Department of Public Works, sufficient to handle the storm water run-off from the existing buildings, existing tennis courts and the proposed additional hand-ball courts. No change in the water run-off control from the existing parking lot is to be required.

RE: PETITION FOR SPECIAL HEARING BEFORE THE COUNTY BOARD OF APPEALS
S/S of Allegheny Ave., 480' W of Highland Ave., 9th District OF BALTIMORE COUNTY
TOWSON YMCA, Petitioner Case No. 80-232-SPH

ORDER FOR SUBPOENA

Madame Secretary:
Please issue a subpoena for:
Honorable William S. Baldwin
District Court of Maryland
111 Allegheny Avenue
Towson, Maryland 21204
to appear as a witness on behalf of the People's Counsel for Baltimore County at the hearing scheduled in this matter before the County Board of Appeals for Thursday, April 16, 1981, at 10 a.m., to attend said hearing on that date and on any subsequent days upon which it might be thereafter scheduled.

RECEIVED BALTIMORE COUNTY MAR 18 2 04 PM '81 COUNTY CLERK

John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

Mr. Sheriff:
Please issue the above summons.

Edith T. Eisenhart, Adm. Secretary
County Board of Appeals of Baltimore County

Towson YMCA Case No. 80-232-SPH
2. The placement of trash containers, as approved by the Office of Planning and Zoning, so as to minimize the dumping or depositing of trash on neighboring properties.
3. The development of a plan of security to prevent the parking of vehicles on the Petitioner's property by those persons not availing themselves of the Petitioner's facilities.
4. A revised site plan shall be submitted, incorporating thereon all of the above restrictions and deleting therefrom the proposed parking adjacent to the easterly property line, and approved by the Department of Public Works and the Office of Planning and Zoning, including landscaping and screening approval by the Current Planning and Development Division.
It is FURTHER ORDERED that the amendment to the site plan filed in Case No. 67-136-X to provide parking adjacent to the easterly property line, as requested in the herein Petition for Special Hearing, be and the same is hereby DISMISSED with prejudice.
Any appeal from this decision must be in accordance with Rules B-1 thru B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY
William T. Hackett, Chairman
John A. Miller
John V. Murphy

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

July 24, 1980

Richard C. Whiteford, Esquire
2000 First Maryland Building
Baltimore, Maryland 21201

RE: Petition for Special Hearing
S/S of Allegheny Avenue, 490' W
of Highland Avenue - 9th Election
District
Townson YMCA - Petitioner
NO. 80-232-SPH (Item No. 168)

Dear Mr. Whiteford:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours,

WILLIAM E. HAMMOND
Zoning Commissioner

WEH/srl

Attachments

cc: Mr. Loren Jensen
10 Burnbrae Road
Towson, Maryland 21204

Mr. William S. Baldwin
406 Campbell Lane
Towson, Maryland 21204

Mrs. Berkley Matthews
612 Joppa Road
Towson, Maryland 21204

Mr. Anthony Lavazzo
612 Allegheny Avenue
Towson, Maryland 21204

Mrs. Joan Moore
512 West Chesapeake Avenue
Towson, Maryland 21204

Mr. G. F. Hanson
303 Dixie Drive
Towson, Maryland 21204

Mrs. Mary Ginn
606 Horncrest Road
Towson, Maryland 21204

John W. Hessian, III, Esquire
People's Counsel

It is FURTHER ORDERED that the amendment to the site plan filed in Case No. 67-136-X to provide parking adjacent to the easterly property line, as requested in the herein Petition for Special Hearing, be and the same is hereby DISMISSED with prejudice.

WILLIAM E. HAMMOND
Zoning Commissioner of
Baltimore County

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204

Mr. Anthony Lavazzo
612 Allegheny Avenue
Towson, Maryland 21204

APPEALS TO THE
COUNTY BOARD OF APPEALS

Appeal must be in writing.

Person or persons appealing must be named with addresses given.

Appeal must be filed within thirty (30) days from the date of the final Order.

Fees for Appeals are as follows:

- Appeals from granting or refusing to grant a Reclassification, Districting or Special Exception - \$70.00 plus the cost of posting.
- Any other appeal from an act or refusal to act by the Zoning Commissioner - \$35.00 plus the cost of posting.

Checks for fees must be made payable to BALTIMORE COUNTY, MARYLAND.

The appeal must be addressed whether or not the hearing was before the Zoning Commissioner or the Deputy Zoning Commissioner as follows:

ZONING COMMISSIONER
County Office Building
Towson, Maryland 21204

For completed information see Section 500.10 and Section 501.8 of the Baltimore County Zoning Regulations.

WILLIAM E. HAMMOND
Zoning Commissioner

Case No. 80-232-SPH
Item No. 168

S/S Allegheny Avenue, 480'
W of Highland Avenue

SH-amendment to site plan

TOWSON YMCA
9th District

1. Copy of Petition
2. Copy of Description of Property
3. Copy of Certificate of Posting - 2 signs
4. Copy of Certificates of Publication
5. Copy of Zoning Advisory Committee Comments
6. Copy of Comments from the Director of Planning
7. Planning Board Comments and Accompanying Map
8. Copy of Order to Enter Appearance
9. Copy of Order - ~~sent to~~ Zoning Commissioner, 7-24-80
10. Copy of Plat of Property
11. 200' Scale Location Plan
12. 1000' Scale Location Plan
13. Memorandum in Support of Petition
14. Letter(s) from Protestant(s)
15. Letter(s) from Petitioner(s), Richard C. Whiteford, Esq
16. Protestants' Exhibits ___ to ___
17. Petitioners' Exhibits 1 to 2 Plat, ZAC Comments
18. Letter of Appeal, William S. Baldwin, 8-15-80
Richard C. Whiteford, Esquire, 8-21-80

Richard C. Whiteford, Esquire
2000 First Maryland Building
Baltimore, Maryland 21201

Attorney for Petitioner

Towson YMCA
Mr. John Burgess, Executive Director
600 W. Chesapeake Avenue
Towson, Maryland 21204

Petitioner

Mr. Loren Jensen
10 Burnbrae Road
Towson, Maryland 21204

Protestant

Mr. William S. Baldwin
406 Campbell Lane
Towson, Maryland 21204

" - APPELLANT

Mrs. Berkley Matthews
612 Joppa Road
Towson, Maryland 21204

"

Mr. Anthony Lavazzo
612 Allegheny Avenue
Towson, Maryland 21204

"

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, TOWSON YMCA legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing Under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an amendment to the site plan filed with Special Exception Case No. 67-136-X to allow the construction of an addition for handball courts and expansion of the existing parking areas.

Property is to be posted and advertised as proscribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

John Burgess, Executive Director

Contract Purchaser Legal Owner

Towson YMCA
Address: 600 W. Chesapeake Avenue
Towson, MD.

Richard C. Whiteford, Esquire
Petitioner's Attorney
Whiteford, Taylor, Preston, et al.
Address: 2000 First Maryland Building
Baltimore, Maryland 21201

Protestant's Attorney

ORDERED By the Zoning Commissioner of Baltimore County, this 24th day of July, 1980, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 28th day of July, 1980, at 1:30 o'clock P.M.

WILLIAM E. HAMMOND
Zoning Commissioner of Baltimore County

(over)

Mrs. Joan Moore
512 W. Chesapeake Avenue
Towson, Maryland 21204

Protestant

Mr. G. F. Hanson
303 Dixie Drive
Towson, Maryland 21204

"

Mrs. Mary Ginn
606 Horncrest Road
Towson, Maryland 21204

"

John W. Hessian, III, Esquire

People's Counsel

James E. Dyer

Request Notification

Wm. Hammond

Zoning office

RECEIVED
BALTIMORE COUNTY
AUG 27 10 56 AM '80
COUNTY CLERK
BY: [Signature]

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that:

- On January 16, 1967, an Order was rendered for the subject property by former Zoning Commissioner John G. Rose granting a special exception for a gymnasium building for civic, social, recreational, and educational activities (Case No. 67-136-X).
- Subsequent thereto, the Petitioner filed the subject Petition for Special Hearing to approve "an amendment to the site plan filed with Special Exception Cas. No. 67-136-X to allow the construction of an addition for handball courts and expansion of the existing parking areas", both in accordance with the site plan prepared by Hudkins Associates, Inc. revised April 4, 1980, and marked Petitioner's Exhibit 1.
- Testimony presented by the Petitioner was to the effect that demand by their members necessitated the need to expand their facilities to provide additional handball courts and, although their present parking spaces meet the County parking requirements for the existing facilities and the proposed addition, provide additional parking adjacent to the easterly property line for anticipated overflow.
- The Protestants offered testimony indicating existing storm water run-off problems, increase in traffic problems by reason of the usage of the present facilities, lack of security or control over usage, and the usage of the property amounting to a general nuisance to the property owners in the area.
- The Petitioner, by letter dated May 19, 1980, withdrew the request for additional parking as provided for and shown on the aforementioned site plan marked Petitioner's Exhibit 1.
- To approve the amendment will not be detrimental to the health, safety, and general welfare of the community and will be within the spirit and intent of the Baltimore County Zoning Regulations.

and, therefore,
IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 24th day of July, 1980, that the amendment to the site plan filed in Case No. 67-136-X to allow the construction of an addition (40' x 80') to the existing improvements for handball courts, in accordance with the above referred to site plan, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

- The construction or installation of a storm water retention facility, as approved by the Department of Public Works, sufficient to handle the increase in the storm water run-off by those improvements made to the Petitioner's property since January 16, 1967, including the proposed addition.
- The placement of trash containers, as approved by the Office of Planning and Zoning, so as to minimize the dumping or depositing of trash on neighboring properties.
- The development of a plan of security to prevent the parking of vehicles on the Petitioner's property by those persons not availing themselves of the Petitioner's facilities.
- A revised site plan shall be submitted, incorporating thereon all of the above restrictions and deleting therefrom the proposed parking adjacent to the easterly property line, and approved by the Department of Public Works and the Office of Planning and Zoning, including landscaping and screening approval by the Current Planning and Development Division.

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
S/S of Allegheny Ave., 480' : OF BALTIMORE COUNTY
W of Highland Ave., 9th District :
TOWSON YMCA, Petitioners : Case No. 80-232-SPH

ORDER TO ENTER APPEARANCE

Mr. Commissioner:
Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be new or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Deputy People's Counsel

John W. Hessian, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 28th day of April, 1980, a copy of the foregoing Order was mailed to Richard C. Whiteford, Esquire, Whiteford, Taylor, Preston, et al., 2000 First Maryland Building, Baltimore, Maryland 21201, Attorney for Petitioner.

John W. Hessian, III

August 22, 1980

Case No. 80-232-SPH
Item No. 168

S Allegheny Avenue, 480'
W of Highland Avenue

TOWSON YMCA

- ✓ 1. Copy of Petition
- ✓ 2. Copy of Description of Property
- ✓ 3. Copy of Certificate of Posting - 2 sign.
- ✓ 4. Copy of Certificates of Publication
- ✓ 5. Copy of Zoning Advisory Committee Comments
- ✓ 6. Copy of Comments from the Director of Planning
- 7. Planning Board Comments and Accompanying Map
- ✓ 8. Copy of Order to Enter Appearance
- ✓ 9. Copy of Order - Zoning/Deputy Zoning Commissioner
- ✓ 10. Copy of Plat of Property
- 11. 200' Scale Location Plan
- 12. 1000' Scale Location Plan
- 13. Memorandum in Support of Petition
- 14. Letter(s) from Protestant(s)
- ✓ 15. Letter(s) from Petitioner(s), Richard C. Whiteford, Esq
- 16. Protestants' Exhibits ___ to ___
- ✓ 17. Petitioners' Exhibits 1 to 2 Plat, ZAC Comments
- ✓ 18. Letter of Appeal, William S. Baldwin
Richard C. Whiteford, Esquire

Richard C. Whiteford, Esquire
2000 First Maryland Building
Baltimore, Maryland 21201
Attorney for Petitioner

Towson YMCA
Mr. John Burgess, Executive Director
600 W. Chesapeake Avenue
Towson, Maryland 21204
Petitioner

Mr. Loren Jensen
10 Burnbrae Road
Towson, Maryland 21204
Protestant

Mr. William S. Baldwin
406 Campbell Lane
Towson, Maryland 21204
"

Mrs. Berkley Matthews
612 Joppa Road
Towson, Maryland 21204
"

Mr. Anthony Lavazzo
612 Allegheny Avenue
Towson, Maryland 21204
"

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond
Zoning Commissioner
TO: John D. Seyffert, Director
Office of Planning and Zoning
Date: April 23, 1980

FROM: Petition No. 80-232 SPH Item 168

SUBJECT: Petition for Special Hearing
South side of Allegheny Avenue, 480 feet West of Highland Avenue
Petition - Towson YMCA

Petition for Special Hearing
South side of Allegheny Avenue, 480 feet West of Highland Avenue
Petition - Towson YMCA

Ninth District

HEARING: Tuesday, May 13, 1980 (1:30 P.M.)

The petitioner's proposal for handball courts is obviously appropriate here. This office is unsure, however, as to the applicability of the transition area restrictions to a hearing to amend the plan for an existing special exception.

If the petition is granted, it is requested that the order be conditioned to require screening in the form of landscaping for the parking areas and that such detail be approved by the Division of Current Planning and Development.

JDS:JGH:eb

John D. Seyffert
John D. Seyffert, Director
Office of Planning and Zoning

PETITIONER'S
EXHIBIT 2

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 2, 1980

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Richard C. Whiteford, Esquire
2000 First Maryland Building
Baltimore, Maryland 21201

MEMBERS

Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

RE: Item No. 168
Petitioner- Towson YMCA
Special Hearing Petition

Dear Mr. Whiteford:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Because of your client's proposal to construct an addition to the existing Towson YMCA, this Special Hearing to amend the original site plan that was granted as a result of Case No. 67-136X, is required.

Particular attention should be afforded to the comments of the Office of Planning, concerning the proposed screening, the comments of the Department of Permits and Licenses, concerning the type of construction of the proposed addition, and also those comments from the Fire Department. For further information on the comments from the latter department, I suggest you contact Captain Kelly at 494-3985.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted

Item No. 168
Special Hearing Petition
May 2, 1980

for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,
Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:hk

Enclosures

cc: Hudkins Associates, Inc.
101 Shell Building
200 E. Joppa Rd.
Towson, Md. 21204

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

March 27, 1980

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #168 (1979-1980)
Property Owner: Towson YMCA
S/S Allegheny Avenue 480' W. Highland Avenue
Existing Zoning: DR 3.5
Proposed Zoning: Special Hearing to amend Case No. 67-136-X to allow for expansion.
Acres: 17.19 District: 9th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Allegheny Avenue, formerly State Route 141 and now a County road, is proposed to be further improved in the future as a 44-foot closed section roadway on a 60-foot right-of-way in this vicinity.

Chesapeake Avenue, an existing public road, is proposed to be improved in the future on a 60-foot right-of-way.

Highway rights-of-way widenings, including any necessary revertible easements for slopes, will be required in connection with any grading or building permit application.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

Item #168 (1979-1980)
Property Owner: Towson YMCA
Page 2
March 27, 1980

Storm Drains: (Cont'd)

In accordance with the drainage policy, the Petitioner is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall.

Open stream drainage requires a drainage reservation or easement of sufficient width to cover the flood plain of a 100-year design storm. However, a minimum width of 50 feet is required.

Any storm drains required, in connection with further development of this property, are to be designed and constructed in accordance with Baltimore County Standards and Specifications.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Sanitary Sewer:

Public water supply is serving this property. There are public 12 and 6-inch water mains in Allegheny and Chesapeake Avenues, respectively. Baltimore County has initiated a project to design a 12-inch public water main to replace the present 6-inch water main in Chesapeake Avenue from Bosley Avenue to the YMCA building.

Public sanitary sewerage is serving this property. There is public 8-inch sanitary sewerage in Allegheny and Chesapeake Avenues.

Very truly yours,

Ellsworth N. Diver
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

cc: J. Somers

C-NE and N-NW Key Sheets
38 and 39 NE and NW 1 Pos. Sheets
NE and NW 10 A Topo
70 Tax Map



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3211

JOHN D. SEYFFERT
DIRECTOR

April 21, 1980

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #168, Zoning Advisory Committee Meeting, February 19, 1980, are as follows:

Property Owner: Towson YMCA
Location: S/S Allegheny Avenue 480' W. Highland Avenue
Existing Zoning: D.R.3.5
Proposed Zoning: Special Hearing to amend Case No. 67-136-X to allow for expansion
Acres: 17.19
District: 9th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

Four foot high compact screening must be provided where the parking areas are across the street or adjacent to residential premises.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Current Planning and Development



baltimore county
department of traffic engineering
TOWSON, MARYLAND 21204
3011 494 3550

STEPHEN E. COLLINS
DIRECTOR

April 21, 1980

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 168 - ZAC - Meeting of February 19, 1980
Property Owner: Towson YMCA
Location: S/S Allegheny Ave. 480' W. Highland Avenue
Existing Zoning: D.R. 3.5
Proposed Zoning: Special Hearing to amend Case No. 67-136-X to allow for expansion.

Acres: 17.19
District: 9th

Dear Mr. Hammond:

The proposed expansion of this site is not expected to cause any major traffic problems.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineering Associate II

HSP/mjm

March 25, 1980

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item # 168, Zoning Advisory Committee meeting of February 19, 1980, are as follows:

Property Owner: Towson YMCA
Location: S/S Allegany Avenue 480' W Highland Avenue
Existing Zoning: D.R. 3-5
Proposed Zoning: Special Hearing to amend Case No. 67-136-X to allow for expansion
Address: 17.19
District: 9

Metropolitan water and sewer exist; therefore, no health hazards are anticipated.

Very truly yours,

Lee J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF/mes

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H. RENCKE
CHIEF

February 29, 1980

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Comodari, Chairman
Zoning Plans Advisory Committee

Re: Property Owner: Towson YMCA

Location: S/S Allegany Ave. 480' W Highland Ave.

Item No: 168 Zoning Agenda: 2-19-80

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

- (x) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works. Along Chesapeake Ave.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy. See Section 16-4.2.1.1, and Section 16-4.2.3.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *[Signature]* Noted and Approved: *George M. Hegardt*
Planning Group Fire Prevention Bureau
Special Inspection Division

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

TED ZALESKI JR.
DIRECTOR

February 26, 1980

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #168 Zoning Advisory Committee Meeting, February 19, 1980 are as follows:

Property Owner: Towson YMCA
Location: S/S Allegany Ave. 480' W Highland Ave.
Existing Zoning: D.R. 3-5
Proposed Zoning: Special Hearing to amend Case No. 67-136-X to allow for expansion

Address: 17.19
District: 9th

The items checked below are applicable:

- X A. All structures shall conform to the Baltimore County Building Code 1978, the State of Maryland Code for the Handicapped and Aged; and other applicable Codes.
- X B. A building/_____ permit shall be required before beginning construction.
- C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/are not required.
- X D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. If wood frame construction an exterior wall erected within 6' 0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3' 0" of lot line. A minimum 8" masonry firewall is required if construction is on the lot line.
- F. Requested variance conflicts with the Baltimore County Building Code, Section/s _____
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 305 and the required construction classification of Table 214.
- X I. Comments - It is assumed a professional has been consulted on the proposed addition and that it can be added to the existing building under the 1978 B.O.C.A. Code.

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit.
If desired additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., Towson.

Very truly yours,
Charles E. Burnham
Charles E. Burnham, Chief
Plans Review

CEB:rrj

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

TED ZALESKI JR.
DIRECTOR

April 14, 1980

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #168 Zoning Advisory Committee Meeting, April 15, 1980 are as follows:

Property Owner: Towson YMCA
Location: S/S Allegany Ave. 480' W Highland Ave.
Existing Zoning: D.R. 3-5
Proposed Zoning: Special Hearing to amend Case No. 67-136-X to allow for expansion.

Address: 17.19
District: 9th

The items checked below are applicable:

- X A. All structures shall conform to the Baltimore County Building Code 1978, the State of Maryland Code for the Handicapped and Aged; and other applicable Codes.
- X B. A building/_____ permit shall be required before beginning construction.
- C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/are not required.
- X D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. In wood frame construction an exterior wall erected within 6' 0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3' 0" of lot line. A minimum 8" masonry firewall is required if construction is on the lot line.
- F. Requested variance conflicts with the Baltimore County Building Code, Section/s _____
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- X H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 305 and the required construction classification of Table 214.
- I. Comments -

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit.
If desired additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., Towson.

Very truly yours,
Charles E. Burnham
Charles E. Burnham, Chief
Plans Review

CEB:rrj

LAW OFFICES
WHITEFORD, TAYLOR, PRESTON, TRIMBLE & JOHNSON

2000 FIRST MARYLAND BUILDING
25 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201
301 752-0987

May 19, 1980

W. CONRAD TAYLOR, JR.
W. LEON D. PRESTON, JR.
ERNEST C. TRIMBLE
EDWARD G. JOHNSON
GEORGE S. WHITE
ROBERT E. HILF
WILLIAM W. NICHOLSON
LOUIS E. QUINN
WILLIAM E. WHITEFORD
WALTER B. STONE
BENJAMIN FORD DAVIS
ALBERT B. THOMAS
J. ADRIAN WYLLIE
ADRIAN WYLLIE, JR.
JOHN F. QUINN
HEAD OF THE OFFICE
JOHN A. HANCOCK II
RICHARD J. BRUCE
WARD B. COLE II

Mr. W. E. Hammond
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Towson YMCA
Case No. 80-232-SPH

Dear Mr. Hammond:

I met with officials of the Towson YMCA subsequent to the hearing on May 13, 1980. As a result of the complaints of the neighbors voiced at that hearing, the YMCA wishes to withdraw its request for additional parking, as requested in its petition to the Zoning Office. The additional parking does not appear to be required under zoning regulations in the event the special exception for the addition of handball courts is granted.

The deletion of the additional parking will substantially abate the neighborhood problems concerning storm water runoff.

The YMCA still wishes to pursue its request for the four handball/racquetball courts. The YMCA will consent to a conditional order requiring the YMCA to install a storm water management system which will limit the rate of flow of runoff to the rate of flow that existed prior to construction of the handball/racquetball courts.

We are advised that this can be done either by a roof top retention system or a reservoir to accumulate and store runoff for measured release.

Yours very truly,

Richard C. Whiteford
Richard C. Whiteford

RCW:THC

CC: Dr. Loren D. Jensen
Mr. John W. Pyle
Mr. John Burgess

406 Campbell Lane
Towson, Maryland 21204
August 15, 1980

Hon. William E. Hammond
Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Re: Towson YMCA
No. 80-232 SPH (Item 168)
Order dated July 24, 1980

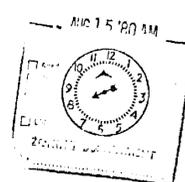
Dear Mr. Hammond:

Please note an appeal to the County Board of Appeals from your order, dated July 24, 1980, as above captioned. This appeal is being taken by myself and my wife, Lois K. Baldwin. Enclosed herewith is my check in the amount of forty-five dollars (\$45.00) to cover the cost of the appeal as per instructions of Ms. Mary Campagna of your office.

Very truly yours,

William S. Baldwin
William S. Baldwin

Enclosure



Case No. 80-232-SPH

Mrs. Joan Moore
512 W. Chesapeake Avenue
Towson, Maryland 21204

Protestant

Mr. G.F. Hanson
303 Dixie Drive
Towson, Maryland 21204

"

Mrs. Mary Ginn
606 Horncrest Road
Towson, Maryland 21204

"

John W. Hessian, III, Esquire

People's Counsel

James E. Dyer

Request Notification

406 Campbell Lane
Towson, Maryland 21204
August 15, 1980

Hon. William E. Hammond
Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Re: Towson YMCA
No. 80-232 SPH (Item 168)
Order dated July 24, 1980

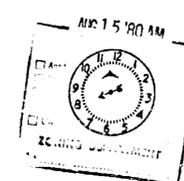
Dear Mr. Hammond:

Please note an appeal to the County Board of Appeals from your order, dated July 24, 1980, as above captioned. This appeal is being taken by myself and my wife, Lois K. Baldwin. Enclosed herewith is my check in the amount of forty-five dollars (\$45.00) to cover the cost of the appeal as per instructions of Ms. Mary Campagna of your office.

Very truly yours,

William S. Baldwin
William S. Baldwin

Enclosure



80-1116

LAW OFFICES
WHITEFORD, TAYLOR, PRESTON, TRIMBLE & JOHNSTON
2000 FIRST MARYLAND BUILDING
25 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201
301 752-0987

MAY 19 1980

Mr. W. E. Hammond
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Towson YMCA
Case No. 80-232-SPH

Dear Mr. Hammond:

I met with officials of the Towson YMCA subsequent to the hearing on May 13, 1980. As a result of the complaints of the neighbors voiced at that hearing, the YMCA wishes to withdraw its request for additional parking, as requested in its petition to the Zoning Office. The additional parking does not appear to be required under zoning regulations in the event the special exception for the addition of handball courts is granted.

The deletion of the additional parking will substantially abate the neighborhood problems concerning storm water runoff.

The YMCA still wishes to pursue its request for the four handball/racquetball courts. The YMCA will consent to a conditional order requiring the YMCA to install a storm water management system which will limit the rate of flow of runoff to the rate of flow that existed prior to construction of the handball/racquetball courts.

We are advised that this can be done either by a roof top retention system or a reservoir to accumulate and store runoff for measured release.

Yours very truly,
Richard C. Whiteford

RCW:TMC
CC: Dr. Loren D. Jensen
Mr. John W. Pyle
Mr. John Burgess

LAW OFFICES
WHITEFORD, TAYLOR, PRESTON, TRIMBLE & JOHNSTON
2000 FIRST MARYLAND BUILDING
25 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201
301 752-0987

AUGUST 21, 1980

Ms. Sondia Jones
Office of Planning & Zoning
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Towson YMCA Zoning Appeal
Case No. 80-232-SPH

Dear Ms. Jones:

In accordance with our telephone conversation, I have enclosed Amended Notice of Appeal on behalf of my client, Towson YMCA, from the Order dated July 24, 1980, together with check for \$45 to cover filing fee.

Yours very truly,
Richard C. Whiteford

RCW:TMC
Encs.
CC: Mr. John W. Burgess
Executive Director
Towson YMCA

Mr. Loren Jensen
Mr. William S. Baldwin
Mrs. Berkley Matthews
Mr. Anthony Lavazzo
Mrs. Joan Moore
Mr. G. F. Hanson
Mrs. Mary Ginn
John W. Hessian, III, Esquire

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

AUGUST 22, 1980

Richard C. Whiteford, Esquire
2000 First Maryland Building
Baltimore, Maryland 21201

RE: Petition for Special Hearing
S/S of Allegheny Ave., 490' W of
Highland Avenue
Towson YMCA - Petitioner
Case No. 80-232-SPH

Dear Mr. Whiteford:

Please be advised that an Appeal has been filed by Mr. & Mrs. William S. Baldwin, Protestants, from the decision rendered by the Zoning Commissioner of Baltimore County in the above-referenced matter.

You will be notified of the date and time of the appeal hearing when it is scheduled by the County Board of Appeals.

Very truly yours,
William E. Hammond
Zoning Commissioner

WEH:sj
cc: Mr. Loren Jensen
Mr. William S. Baldwin
Mrs. Berkley Matthews
Mrs. Joan Moore
Mr. G. F. Hanson
Mr. Mary Ginn
John W. Hessian, III, Esquire

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

July 24, 1980

Richard C. Whiteford, Esquire
2000 First Maryland Building
Baltimore, Maryland 21201

RE: Petition for Special Hearing
S/S of Allegheny Avenue, 490' W
of Highland Avenue - 9th Election
District
Towson YMCA - Petitioner
NO. 80-232-SPH (Item No. 166)

Dear Mr. Whiteford:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours,
William E. Hammond
Zoning Commissioner

WEH/erl

Attachments

cc: Mr. Loren Jensen
10 Burnbrae Road
Towson, Maryland 21204

Mrs. Joan Moore
512 West Chesapeake Avenue
Towson, Maryland 21204

Mr. William S. Baldwin
406 Campbell Lane
Towson, Maryland 21204

Mr. G. F. Hanson
303 Dixie Drive
Towson, Maryland 21204

Mrs. Berkley Matthews
612 Joppa Road
Towson, Maryland 21204

Mrs. Mary Ginn
606 Horncrest Road
Towson, Maryland 21204

Mr. Anthony Lavazzo
612 Allegheny Avenue
Towson, Maryland 21204

John W. Hessian, III, Esquire
People's Counsel

COLUMBIA OFFICE
WALTER PARK
Registered Surveyor
PHONE 730-9060

APR 7 '80

TOWSON OFFICE
HUDKINS ASSOCIATES, INC.
Engineers, Surveyors and
Landscape Architects
200 EAST JOPPA ROAD
ROOM 101, SHELL BUILDING
TOWSON, MARYLAND 21204
PHONE: 828-9060

DEL AIR OFFICE
L. GERALD WOLFF
Landscape Architect
PHONE 838-0888

REVISED PLANS
Item 16B

November 12, 1979
Revised February 7, 1980
April 4, 1980

DESCRIPTION FOR SPECIAL HEARING- Y.M.C.A. PROPERTY

Beginning for the same at a point in the centerline of Allegheny Avenue said point being westerly 480 feet + measured along the centerline of said Allegheny Avenue from the centerline of Highland Avenue thence binding along the said centerline of Allegheny Avenue North 64 degrees 38 minutes West 122.25 feet thence South 26 degrees 36 minutes West 510.00 feet thence North 77 degrees 21 minutes West 205.08 feet more or less thence South 89 degrees 09 minutes West 149.5 feet thence South 80 degrees 54 minutes West 122 feet thence South 56 degrees 09 minutes West 338 feet thence South 53 degrees 39 minutes West 114 feet thence South 28 degrees 39 minutes West 88 feet thence South 18 degrees 54 minutes West 90 feet thence South 38 degrees 54 minutes West 52 feet thence South 45 degrees 39 minutes West 88 feet thence South 21 degrees 09 minutes West 177 feet thence South 06 degrees 39 minutes West 84 feet to the centerline of Chesapeake Avenue thence binding thereon South 85 degrees 09 minutes East 76 feet thence North 71 degrees 06 minutes East 60 feet thence North 73 degrees 51 minutes East 304 feet thence South 88 degrees 24 minutes East 40 feet thence South 81 degrees 54 minutes East 140 feet thence North 86 degrees 21 minutes East 80 feet thence North 77 degrees 36 minutes East 70 feet thence North 69 degrees 36 minutes East 203 feet thence North 71 degrees 51 minutes East 160 feet thence North 84 degrees 06 minutes East 40.17 feet thence leaving the

Page 2

said centerline of Chesapeake Avenue North 26 degrees 01 minutes East 558.25 feet thence North 77 degrees 21 minutes West 122.58 feet thence North 26 degrees 01 minutes East 290.5 feet to the place of beginning, Containing 16.77 Acres of land more or less.

Malcolm E. Hudkins
Registered Surveyor #5095

COLUMBIA OFFICE
WALTER PARK
Registered Surveyor
PHONE 730-9060

APR 7 '80 P

TOWSON OFFICE
HUDKINS ASSOCIATES, INC.
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REVISED PLANS
Item 16B

November 12, 1979
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Malcolm E. Hudkins
Registered Surveyor #5095

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Containing 17.19 Acres of land more or less.



Malcolm E. Hudkins
Registered Surveyor #5095

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Malcolm E. Hudkins
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38 minutes West 183.25 feet thence South 26 degrees 51 minutes West 310.17 feet
thence North 77 degrees 21 minutes West 145.08 feet more or less thence
South 89 degrees 09 minutes West 149.5 feet thence South 80 degrees
54 minutes West 122 feet thence South 56 degrees 09 minutes West
398 feet thence South 53 degrees 39 minutes West 114 feet thence South 28 degrees
39 minutes West 88 feet thence South 18 degrees 54 minutes West 90 feet thence
South 38 degrees 54 minutes West 52 feet thence South 45 degrees 39 minutes West
88 feet thence South 21 degrees 09 minutes West 177 feet thence South 06 degrees
39 minutes West 84 feet to the centerline of Chesapeake Avenue thence binding
thereon South 85 degrees 09 minutes East 76 feet thence North 71 degrees
06 minutes East 60 feet thence North 73 degrees 51 minutes East 304 feet
thence South 88 degrees 24 minutes East 40 feet thence South 81 degrees
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FILE COPY

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thence North 84 degrees 06 minutes East 40.17 feet thence leaving the

FILE COPY

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, TOWSON YMCA legal owner of the property
situate in Baltimore County and which is described in the description and
plat attached hereto and made a part hereof, hereby petition for a Special
Hearing Under Section 500.7 of the Zoning Regulations of Baltimore County,
to determine whether or not the Zoning Commissioner and/or Deputy Zoning
Commissioner should approve an amendment to Case 67-136X for expansion
and an amendment to the plan filed with that hearing.

Property is to be posted and advertised as prescribed by Zoning
Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising,
posting, etc., upon filing of this petition, and further agree to and are
to be bound by the zoning regulations and restrictions of Baltimore County
adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser John Burgess, Executive Director
Legal Owner

Address Towson YMCA
400 E. Chesapeake
Towson, MD.

Richard C. Whiteford
Petitioner's Attorney
Whiteford, Taylor, Preston, et al.
Address 2000 First Maryland Building
Baltimore, Maryland 21201

ORDERED By the Zoning Commissioner of Baltimore County, this _____
day of _____, 196____, that the subject matter of this petition be
advertised, as required by the Zoning Law of Baltimore County, in two
newspapers of general circulation throughout Baltimore County, that
property be posted, and that the public hearing be had before the Zoning
Commissioner of Baltimore County in Room 106, County Office Building in
Towson, Baltimore County, on the _____ day of _____, 196____,
at _____ o'clock _____ M.

FILE COPY

PETITION FOR SPECIAL HEARING

9th District

ZONING: Petition for Special Hearing
LOCATION: South side of Allegheny Avenue, 480 feet West of Highland Avenue
DATE & TIME: Tuesday, May 13, 1980 at 1:30 P.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue,
Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and
Regulations of Baltimore County, will hold a public hearing:

Petition for Special Hearing under Section 500.7 of
the Zoning Regulations of Baltimore County, to determine
whether or not the Zoning Commissioner and/or Deputy
Zoning Commissioner should approve an amendment to the
site plan filed with Special Exception Case No. 67-136-X
to allow the construction of an addition for handball
courts and expansion of the existing parking areas

All that parcel of land in the Ninth District of Baltimore County

Being the property of Towson YMCA, as shown on plat plan filed with the Zoning
Department

Hearing Date: Tuesday, May 13, 1980 at 1:30 P.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson,
Maryland

BY ORDER OF
WILLIAM E. HAZZARD
ZONING COMMISSIONER
OF BALTIMORE COUNTY

PETITION FOR SPECIAL HEARING

9th District

ZONING: Petition for Special Hearing
LOCATION: South side of Allegheny Avenue, 480 feet West of Highland Avenue
DATE & TIME: Tuesday, May 13, 1980 at 1:30 P.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue,
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Regulations of Baltimore County, will hold a public hearing:

Petition for Special Hearing under Section 500.7 of
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Being the property of Towson YMCA, as shown on plat plan filed with the Zoning
Department

Hearing Date: Tuesday, May 13, 1980 at 1:30 P.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson,
Maryland

BY ORDER OF
WILLIAM E. HAZZARD
ZONING COMMISSIONER
OF BALTIMORE COUNTY

April 16, 1980

Richard C. Whiteford, Esquire
Whiteford, Taylor, Preston, Trimble & Johnston
2000 First Maryland Building
Baltimore, Maryland 21201

NOTICE OF HEARING

RE: Petition for Special Hearing - 8/3 Allegheny Ave., 480' W of Highland
Ave - Towson YMCA - Case No. 80-232-SFH

TIME: 1:30 P.M.

DATE: Tuesday, May 13, 1980

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

ZONING COMMISSIONER OF
BALTIMORE COUNTY

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
August 17, 1981

Richard C. Whiteford, Esq.
2000 First Maryland Bldg.
Baltimore, Md. 21201

Re: Towson YMCA
Case No. 80-232-SPH

Dear Mr. Whiteford:

Notice is hereby given, in accordance with the Rules of Procedure of the Court of Appeals of Maryland, that an appeal has been taken to the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter.

Enclosed is a copy of the Certificate of Notice.

Very truly yours,

June Holmen
June Holmen, Secretary

- Encl.
cc: Towson YMCA
Mr. Loren Jensen
Mr. William Baldwin
Mrs. Berkley Matthews
Mr. Anthony Lavazzo
Mrs. Joan Moore
Mr. G. F. Hanson
Mrs. Mary Ginn
Mr. J. E. Dyer
Mr. William Hammond

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW
Misc. Docket No. 13
Folio No. 264
File No. 7614

CERTIFICATE OF NOTICE

Mr. Clerk:

Pursuant to the provisions of Rule B-2(d) of the Maryland Rules of Procedure, William T. Hackett, John A. Miller, and John V. Murphy, constituting the County Board of Appeals of Baltimore County, have given notice by mail of the filing of the appeal to the representative of every party to the proceeding before it; namely, Richard C. Whiteford, Esq., 2000 First Maryland Bldg., Baltimore, Md. 21201, Counsel for the Petitioner; Towson YMCA, Mr. John Burgess, Executive Director, 600 W. Chesapeake Ave., Towson, Md. 21204, Petitioner; Mr. Loren Jensen, 10 Burnbrae Rd., Towson, Md., 21204, Protestant; Mr. William S. Baldwin, 406 Campbell Lane, Towson, Md. 21204, Protestant; Mrs. Berkley Matthews, 612 Joppa Rd., Towson, Md. 21204, Protestant; Mr. Anthony Lavazzo, 612 Allegheny Ave., Towson, Md. 21204, Protestant; Mrs. Joan Moore, 512 W. Chesapeake Ave., Towson, Md. 21204, Protestant; Mr. G. F. Hanson, 303 Dixie Dr., Towson, Md. 21204, Protestant; Mrs. Mary Ginn, 606 Horncrest Road, Towson, Md. 21204, Protestant; and John W. Hession, III, Esq., Court House, Towson, Md., 21204, People's Counsel for Baltimore County, a copy of which Notice is attached hereto and prayed that it may be made a part thereof.

June Holmen
County Board of Appeals of Baltimore County
Rm. 200, Court House, Towson, Md. 21204
Telephone: 494-3160

said centerline of Chesapeake Avenue North 26 degrees 01 minutes East
558.25 feet thence North 77 degrees 21 minutes West 122.58 feet thence
North 26 degrees 01 minutes East 290.5 feet to the place of beginning.
Containing 16.77 Acres of land more or less.

Malcolm E. Hudkins
Malcolm E. Hudkins
Registered Surveyor #5095

Towson YMCA
Case No. 80-232-SPH

I HEREBY CERTIFY that a copy of the foregoing Certificate of Notice has been mailed to Richard C. Whiteford, Esq., 2000 First Maryland Bldg., Baltimore, Md., 21201, Counsel for the Petitioner; Towson YMCA, Mr. John Burgess, Executive Director, 600 W. Chesapeake Ave., Towson, Md. 21204, Petitioner; Mr. Loren Jensen, 10 Burnbrae Rd., Towson, Md. 21204, Protestant; Mr. William S. Baldwin, 406 Campbell Lane, Towson, Md. 21204, Protestant; Mrs. Berkley Matthews, 612 Joppa Rd., Towson, Md. 21204, Protestant; Mr. Anthony Lavazzo, 612 Allegheny Ave., Towson, Md. 21204, Protestant; Mrs. Joan Moore, 512 W. Chesapeake Ave., Towson, Md. 21204, Protestant; Mr. G. F. Hanson, 303 Dixie Dr., Towson, Md. 21204, Protestant; Mrs. Mary Ginn, 606 Horncrest Road, Towson, Md. 21204, Protestant; and John W. Hession, III, Esq., Court House, Towson, Md. 21204, People's Counsel for Baltimore County, on this 17th day of August, 1981.

June Holmen
June Holmen
County Board of Appeals of Baltimore County

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204

YMCA

Mr. Anthony Lavazzo
612 Allegheny Ave.
Towson, Md. 21204

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
August 17, 1981

John W. Hession, Esq.
People's Counsel
Court House
Towson, Md. 21204

Dear Mr. Hession:

Re: Case No. 80-232-SPH
Towson YMCA

In accordance with Rule B-7 (a) of the Rules of Procedure of the Court of Appeals of Maryland, the County Board of Appeals is required to submit the record of proceedings of the zoning appeal which you have taken to the Circuit Court for Baltimore County in the above matter within thirty days.

The cost of the transcript of the record must be paid by you. Certified copies of any other documents necessary for the completion of the record must also be at your expense.

The cost of the transcript, plus any other documents, must be paid in time to transmit the same to the Circuit Court not later than thirty days from the date of any petition you might file in court, in accordance with Rule B-7 (a).

Enclosed is a copy of the Certificate of Notice; also invoice covering the cost of certified copies of necessary documents.

Very truly yours,

June Holmen
June Holmen, Secy.

Encls.

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

May 1, 1980

Richard C. Whiteford, Esquire
Whiteford, Taylor, Preston, Trimble & Johnston
2000 First Maryland Building
Baltimore, Maryland 21201

RE: Petition for Special Hearing
S/S Allegheny Ave., 480' W of Highland
Avenue - Towson YMCA - Case #80-232-SPH

Dear Mr. Whiteford:

This is to advise you that \$73.50 is due for advertising and posting of the above-property.

Please make check payable to Baltimore County, Maryland and remit to Sandra Jones, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

WEE:ej

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
August 17, 1981

Richard C. Whiteford, Esq.
2000 First Maryland Bldg.
Baltimore, Md. 21201

Dear Mr. Whiteford:

Re: Towson YMCA
Case No. 80-232 SPH

Notice is hereby given, in accordance with the Rules of Procedure of the Court of Appeals of Maryland, that an appeal has been taken to the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter.

Enclosed is a copy of the Certificate of Notice.

Very truly yours,

June Holmen
June Holmen, Secretary

- Encl.
cc: Towson YMCA
Mr. Loren Jensen
Mr. William Baldwin
Mrs. Berkley Matthews
Mr. Anthony Lavazzo
Mrs. Joan Moore
Mr. G. F. Hanson
Mrs. Mary Ginn
Mr. J. E. Dyer
Mr. William Hammond

COLUMBIAN OFFICE
WALTER PARK
Registered Surveyor
PHONE 738-0060

REVISED PLANS

TOWSON OFFICE
HUDKINS ASSOCIATES, INC.
Engineers, Surveyors and
Landscape Architects
200 EAST JOPPA ROAD
ROOM 101, SHELL BUILDING
TOWSON, MARYLAND 21204
PHONE: 828-9060

BEL AIR OFFICE
L. GERALD WOLFF
Landscape Architect
PHONE 838-0888

November 12, 1979
Revised February 7, 1980
April 4, 1980

DESCRIPTION FOR SPECIAL HEARING- Y.M.C.A. PROPERTY

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County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
July 16, 1981

Richard C. Whiteford, Esq.
2000 First Maryland Bldg.
Baltimore, Md. 21201

Re: Case No. 80-232-SPH
Towson YMCA

Dear Mr. Whiteford:

Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

June Holmen
June Holmen, Secretary

Encl.

cc: Towson YMCA
Mr. Loren Jensen
Mr. W. S. Baldwin
Mrs. Berkeley Matthews
Mr. Anthony Lavazzo
Mrs. Joan Moore
Mr. G. F. Hanson
Mrs. Mary Ginn
J. W. Hession, Esq.
J. E. Dyer
W. Hammond

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204



Mr. Anthony Lavazzo
612 Allegheny Ave.
Towson, Md. 21204

RE: SPECIAL HEARING : BEFORE
Amendment to site plan : COUNTY BOARD OF APPEALS
South side Allegheny Avenue, : OF
480' west of Highland Avenue :
9th District :
TOWSON YMCA, : BALTIMORE COUNTY
Petitioner : No. 80-232-SPH

OPINION

This case comes before this Board on appeal from a decision of the Zoning Commissioner dated July 24, 1980, granting the amendment to the site plan filed in Case No. 67-136-X to allow the construction of some additional hand-ball courts to the facility with restrictions. It should be noted that an appeal to this Order was taken by a protestant and an appeal from the petitioner also. The petitioner's appeal, however, relates only to their compliance with restriction #1.

Petitioner's appeal centered on the wording of Restriction #1, requiring storm water control for all improvements on the property since January 16, 1967, including the proposed addition. Mr. David Billingsley, a design engineer with Hudkins Associates, testified that a holding pond could be built in such a manner that the water run-off could be adequately controlled from the existing buildings plus the proposed hand-ball courts and the tennis courts, this being about 3 1/2 acres of impervious area, but that there was no practical way to control the water run-off from the existing parking area. He presented the Board a topo-map of this location as Petitioner's Exhibit B to substantiate this. Dr. Loren Jensen, a property owner whose holdings about the subject site to the north, testified in favor of this proposal as did John W. Burgess, Executive Director of this Y.M.C.A.

William Baldwin, 406 Camel Lane, whose property abuts the subject site to the east, testified in opposition to the granting of this amended site plan. He testified that he has resided there since 1964, before the Y.M.C.A. acquired this property. He stated that there are severe icing conditions on Chesapeake Avenue in the winter, generated

Towson YMCA
Case No. 80-232-SPH

by the water run-off from this facility. He also stated that there are some traffic problems at present and could only visualize these as being compounded by the additional facilities requested. He also stated there are other discipline problems associated with the present use, i.e., drag races at night, no fencing on perimeters, considerable debris from the restaurant and sandwich shop, and problems with pedestrian traffic using his property as a short-cut to the Y.M.C.A. For all these reasons, Mr. Baldwin objected to the granting of the amended site plan allowing the additional hand-ball courts and accompanying increase in activities.

After consideration of all the testimony and evidence presented the Board this day, the Board is of the opinion that the Zoning Commissioner's Order should be affirmed. Mr. Baldwin's testimony was carefully considered. Since the new proposal for control of water run-off will divert some water now going onto Chesapeake Avenue to the holding pond, the icing condition could be improved. The other problems associated with the use of the subject site would not be cured by denying petitioner's request and in the opinion of the Board would not be significantly worsened by its granting. On recall testimony, Mr. Burgess testified that he is working with the police department on patrolling the property and has now employed custodians to remain on the property through the night time hours. For all these reasons, the Board will affirm the Order of the Zoning Commissioner dated July 24, 1980, with the exception that Restriction #1 be amended and will so order.

ORDER

For the reasons set forth above, it is this 16th day of July, 1981, by the County Board of Appeals, ORDERED that the Order of the Zoning Commissioner dated July 24, 1980, be AFFIRMED with the following restrictions:

- 1. The construction or installation of a storm water retention facility, as approved by the Department of Public Works, sufficient to handle the storm water run-off from the existing buildings, existing tennis courts and the proposed additional hand-ball courts. No change in the water run-off control from the existing parking lot is to be required.

Towson YMCA
Case No. 80-232-SPH

- 2. The placement of trash containers, as approved by the Office of Planning and Zoning, so as to minimize the dumping or depositing of trash on neighboring properties.
- 3. The development of a plan of security to prevent the parking of vehicles on the Petitioner's property by those persons not availing themselves of the Petitioner's facilities.
- 4. A revised site plan shall be submitted, incorporating thereon all of the above restrictions and deleting therefrom the proposed parking adjacent to the easterly property line, and approved by the Department of Public Works and the Office of Planning and Zoning, including landscaping and screening approval by the Current Planning and Development Division.

It is FURTHER ORDERED that the amendment to the site plan filed in Case No. 67-136-X to provide parking adjacent to the easterly property line, as requested in the herein Petition for Special Hearing, be and the same is hereby DISMISSED with prejudice.

Any appeal from this decision must be in accordance with Rules B-1 thru B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett
William T. Hackett, Chairman

John A. Miller
John A. Miller

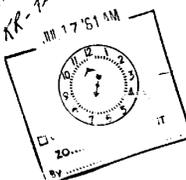
John V. Murphy
John V. Murphy

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond, Zoning Commissioner
Office of Planning and Zoning
Date: Aug. 17, 1981
TO: William T. Hackett, Chairman
FROM: County Board of Appeals
SUBJECT: Certified copies of zoning documents
TOWSON YMCA - Case No. 80-232-SPH

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
July 16, 1981



Richard C. Whiteford, Esq.
2000 First Maryland Bldg.
Baltimore, Md. 21201

Re: Case No. 80-232-SPH
Towson YMCA

Dear Mr. Whiteford:

Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

June Holmen
June Holmen, Secretary

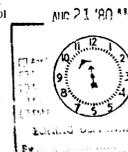
Encl.

cc: Towson YMCA
Mr. Loren Jensen
Mr. W. S. Baldwin
Mrs. Berkeley Matthews
Mr. Anthony Lavazzo
Mrs. Joan Moore
Mr. G. F. Hanson
Mrs. Mary Ginn
J. W. Hession, Esq.
J. E. Dyer
W. Hammond

LAW OFFICES
WHITEFORD, TAYLOR, PRESTON, TRIMBLE & JOHNSTON

2000 FIRST MARYLAND BUILDING
25 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201
301 752-0287

August 20, 1980



Mr. William E. Hammond
Zoning Commissioner of
Baltimore County
Office of Planning & Zoning
Towson, Maryland 21204

Re: Towson YMCA Zoning Appeal
Case No. 67-136-X

Dear Mr. Hammond:

I have enclosed Notice of Appeal on behalf of my client, Towson YMCA, from the Order in the above matter dated July 24, 1980.

Yours very truly,

Richard C. Whiteford
Richard C. Whiteford

RCW:TCM
Enc.

cc: Mr. John W. Burgess
Executive Director
Towson YMCA

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1
Posted for: *Richard C. Whiteford*
Petitioner: *Towson YMCA*
Location of property: *25 South Charles Street, Baltimore, Md.*
Location of Signage: *25 South Charles Street, Baltimore, Md.*
Remarks: *See attached*
Date of Posting: *8-17-80*
Date of return: *8-17-80*
Signature: *John V. Murphy*



NW10A
1802322 SPN

- NOTES
1. AREA: 16.77 AC. ±
 2. ZONING: DR 35
 3. CIVIC SOCIAL RECREATIONAL EDUCATIONAL ACTIVITIES
 4. PARKING REQUIREMENTS
 - A. 3 HANDBALL COURTS @ 3 SP/CT 11.3
 - B. 1 TENNIS COURT @ 3 SP/CT 3
 - C. 5 TENNIS COURTS @ 3 SP/CT 15
 - D. BLDG AREA (REMAINDER) 16,860 SF @ 1 SP/100 SF 167
 - E. TOTAL REQ. 178
 - F. TOTAL PROVIDED 234

LOREN D. JENSEN
1740/500

EX. CIVIC, SOCIAL, RECREATIONAL, EDUCATIONAL ACTIVITIES

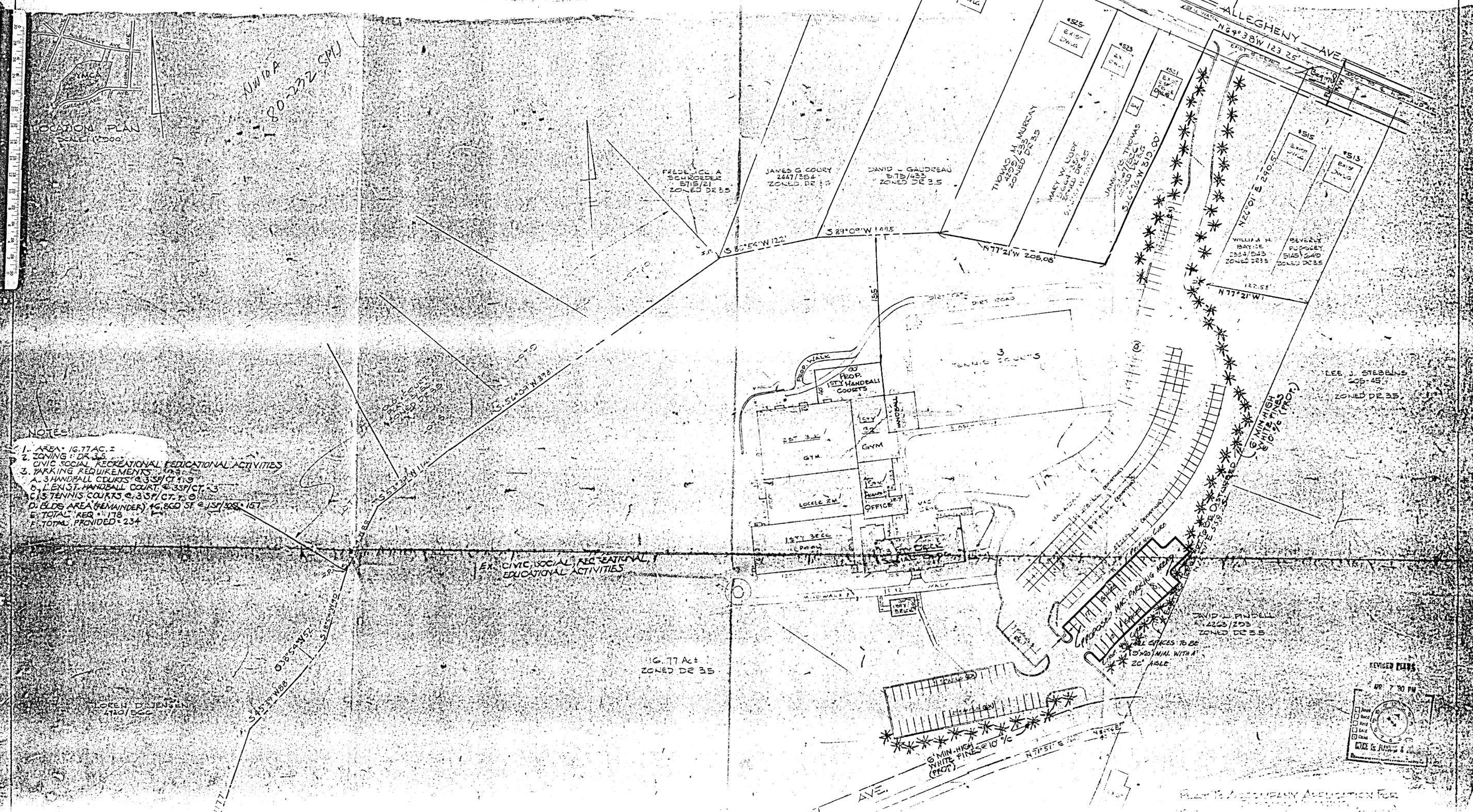
16.77 AC. ±
ZONED DR 35

6" MIN. HIGH WHITE FINES 10' ±
(PROT.)

ALL OFFICES TO BE 10' ± MIN. WITH A 20' ASLE



PLAT TO ACCOMPANY APPLICATION FOR...



PETITION FOR SPECIAL HEARING

9th District
 Location: South side of Allegheny Avenue, 400 feet West of Highland Avenue.
 Date & Time: Tuesday, May 13, 1980 at 1:30 P.M.
 Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
 The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hear a public hearing.

The Essex Times

Essex, Md., April 24 1980
 This is to Certify, That the annexed Special Hearing was inserted in The Essex Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 24th day of April, 1980
S. J. D. Wolfe Publisher.

PETITION FOR SPECIAL HEARING

9th District
 Location: South side of Allegheny Avenue, 400 feet West of Highland Avenue.
 Date & Time: Tuesday, May 13, 1980 at 1:30 P.M.
 Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
 The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing.

CERTIFICATE OF PUBLICATION

TOWSON, MD., April 24, 1980
 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once successively weeks before the 24th day of April, 1980, the first publication appearing on the 24th day of April, 1980.
 THE JEFFERSONIAN,
L. Frank Stricker Manager.
 Cost of Advertisement, \$ 35.00

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
 111 W. Chesapeake Avenue
 Towson, Maryland 21204
 Your Petition has been received and accepted for filing this 7th day of April, 1980
William E. Hammond
 Zoning Commissioner
 Petitioner Towson YMCA
 Petitioner's Attorney Richard C. Whitford, Esq. Reviewed by Nicholas B. Commodari
 Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
 111 W. Chesapeake Avenue
 Towson, Maryland 21204
 Your Petition has been received this 12 day of April, 1980.
 Filing Fee \$ 25 Received: Check Cash Other
William E. Hammond
 William E. Hammond, Zoning Commissioner
 Petitioner Towson YMCA Submitted by _____
 Petitioner's Attorney Richard C. Whitford Reviewed by CT
 *This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

No. 088820
 DATE May 13, 1980 ACCOUNT 01-662
 AMOUNT \$78.50
 RECEIVED FROM Towson YMCA
 FOR Advertising and Posting for Case No. 80-232-SPH
Richard C. Whitford 79.50
 VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

No. 091702
 DATE August 22, 1980 ACCOUNT 01-662
 AMOUNT \$45.00
 RECEIVED FROM Richard C. Whitford, Esquire
 FOR Filing Fee for Appeal of Case No. 80-232-SPH
Richard C. Whitford 45.00
 VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland
 District 9 Date of Posting 4/27/80
 Posted for: Petition for Special Hearing
 Petitioner: Towson YMCA
 Location of property: 315 Allegheny Ave., 400' N. of Highland Ave.
 Location of Signs: Allegheny Ave entrance, Chesapeake Ave entrance
 Remarks: Blair Goldman Date of return: 5/2/80
 Posted by Blair Goldman Signature
 2 signs

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>CT</u>	Revised Plans:		Change in outline or description		Yes		No			
Previous case: <u>67-136X</u>	Map #									

PETITION FOR SPECIAL HEARING

9th District
 Location: South side of Allegheny Avenue, 400 feet West of Highland Avenue.
 Date & Time: Tuesday, May 13, 1980 at 1:30 P.M.
 Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
 The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing.

CERTIFICATE OF PUBLICATION

TOWSON, MD., April 24, 1980
 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once successively weeks before the 13th day of May, 1980, the first publication appearing on the 24th day of April, 1980.
 THE JEFFERSONIAN,
L. Frank Stricker Manager.
 Cost of Advertisement, \$ _____

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>CT</u>	Revised Plans:		Change in outline or description		Yes		No			
Previous case: <u>67-136X</u>	Map #									

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

No. 089637
 DATE August 22, 1980 ACCOUNT 01-662
 AMOUNT \$45.00
 RECEIVED FROM William S. Baldwin
 FOR Filing Fee for Appeal of Case No. 80-232-SPH
William S. Baldwin 45.00
 VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland
 District 9 Date of Posting 4/27/80
 Posted for: Board of Appeals
 Petitioner: Towson YMCA
 Location of property: 315 Allegheny Ave., 400' N. of Highland Ave.
 Location of Signs: Allegheny Ave entrance, Chesapeake Ave entrance
 Remarks: Blair Goldman Date of return: 5/2/80
 Posted by Blair Goldman Signature
 Number of Signs: 2

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

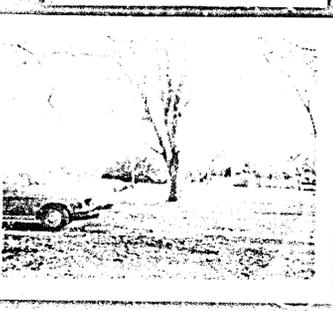
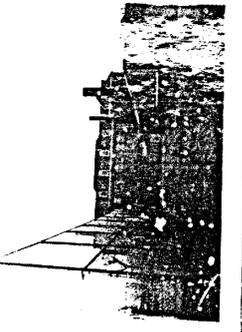
No. 86398
 DATE April 16, 1980 ACCOUNT 01-662
 AMOUNT \$25.00
 RECEIVED FROM Towson YMCA
 FOR Filing Fee for Case No. 80-232-SPH
Richard C. Whitford 25.00
 VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
 111 W. Chesapeake Avenue
 Towson, Maryland 21204
 Your Petition has been received and accepted for filing this 7th day of April, 1980
William E. Hammond
 William E. Hammond, Zoning Commissioner
 Petitioner Towson YMCA
 Petitioner's Attorney Richard C. Whitford, Esq. Reviewed by Nicholas B. Commodari
 Chairman, Zoning Plans Advisory Committee

CASE NO. 13/264/7614 AT LAW

People's Counsel VS. Towson YMCA
 RECEIVED FROM THE COUNTY BOARD OF APPEALS TRANSCRIPT, CERTIFIED DOCUMENTS, EXHIBITS, AND BOARD'S ANSWER FILED IN THE ABOVE ENTITLED CASE.
John Butts
 Clerk's Office
 Date: 9/4/81



County Board of Appraisals
Room 219, Court House
Towson, Maryland 21284

Jan. 9, 1981

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND COMPLY WITH STRICT COMPLIANCE WITH BOARD RULES. ALL REQUESTS FOR POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 267, COUNTY COUNCIL REG. # 108.

CASE NO. 80-232-SPH

TOWSON YMCA

Site plan
S. Allegheny Ave., 480' W of
Highland Ave.
9th District

7/24/80 - Z.C. (Hammond) GRANTED
amendment with restrictions

THURSDAY, APRIL 16, 1981, at 10 a.m.

Attorney for Petitioner

cc: Richard C. Whiteford, Esq.

Petitioner

Protestant

- Appellant

- Towson YMCA
- Mr. Loren Jensen
- Mr. W. S. Balch
- Mrs. Berkeley Matthews
- Mr. Anthony Lavazzo
- Mrs. Joan Moore
- Mr. G. F. Hanson
- Mrs. Mary Ginn
- J. W. Heslam, Esq.
- J. E. Dyer
- Wm. Hammond

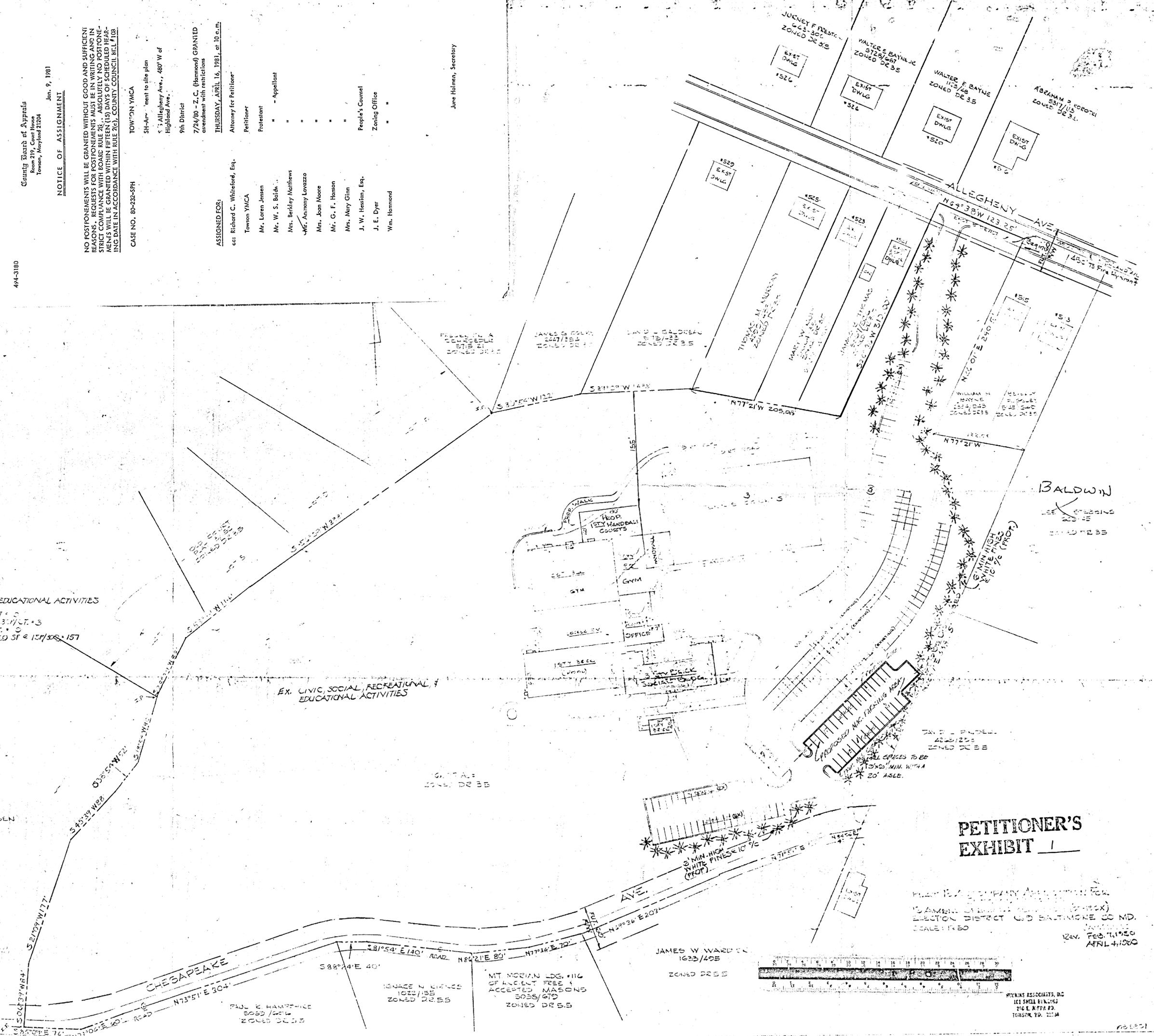
Jane Holman, Secretary



LOCATION PLAN
SCALE: 1" = 500'

NOTES:

1. AREA: 46,77 AC ±
2. ZONING: DR 3.5
3. CIVIC, SOCIAL, RECREATIONAL & EDUCATIONAL ACTIVITIES
4. PROPOSED DEVELOPMENTS:
 - A. 1 BLDG. 53,000 SF ±
 - B. 1 SHOT-HANDBALL COURT & 3 TENNIS CT. ±
 - C. 3 TENNIS COURTS & 3 SH/CT. ±
 - D. BLDG. AREA (REMAINING) 46,000 SF ±
 - E. TOTAL REQ. 175
 - F. TOTAL PROVIDED 234



EX. CIVIC, SOCIAL, RECREATIONAL & EDUCATIONAL ACTIVITIES

PETITIONER'S EXHIBIT 1

PLANNING BOARD COMPANY APPLICATION FOR
ZONING DISTRICT CHANGES (PROX)
ELECTION DISTRICT 030 BALTIMORE CO MD.
SCALE: 1" = 80'

REV. FEB. 7, 1980
APRIL 4, 1980

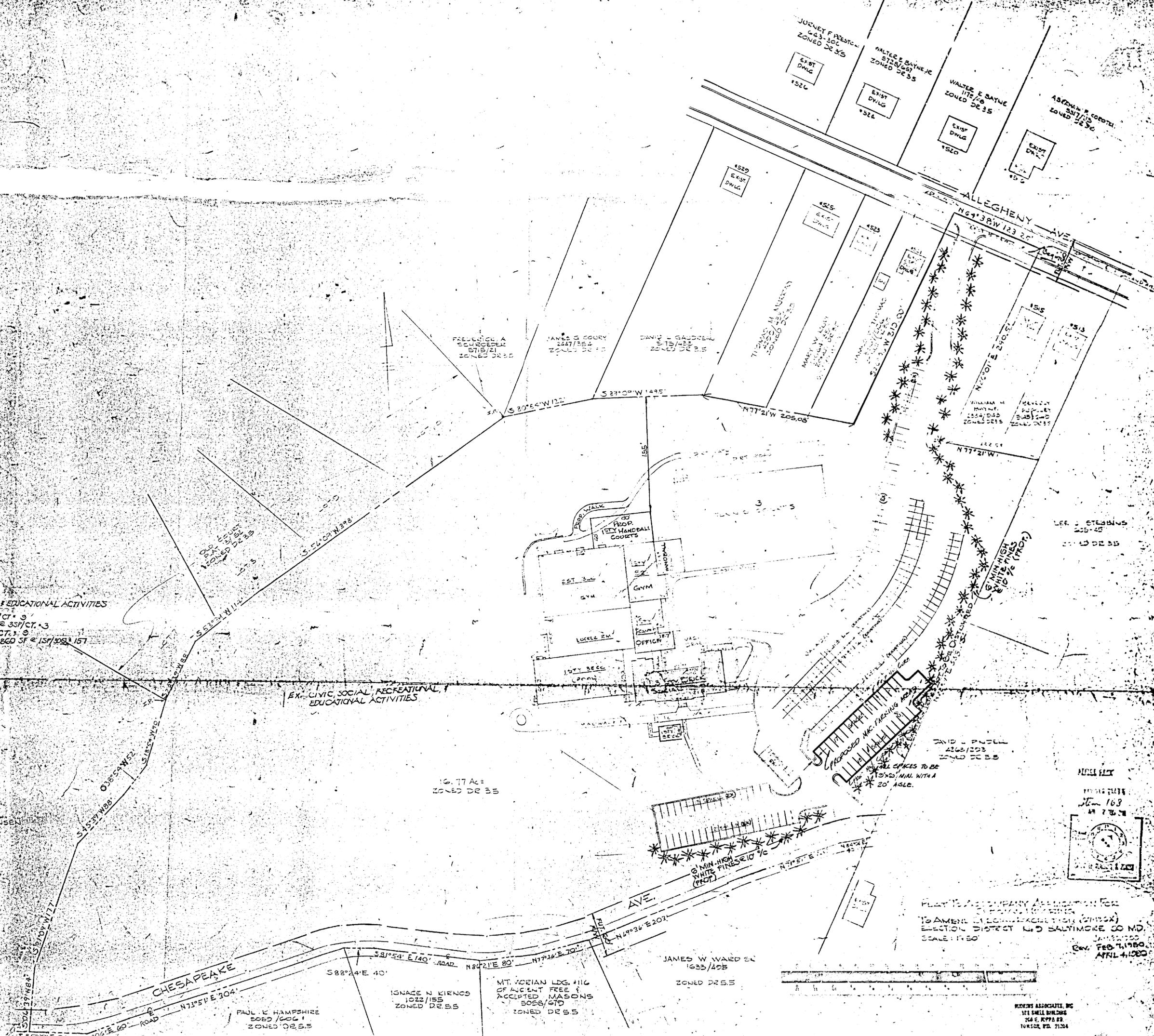


MCKINNS ASSOCIATES, INC.
101 SHELL BLDG. #102
740 E. RIVER RD.
TOWSON, MD. 21284

LOCATION PLAN
SCALE: 1"=200'

NOTES:

1. AREA: 16.77 AC. ±
2. ZONING: DR-35
3. CIVIC, SOCIAL, RECREATIONAL & EDUCATIONAL ACTIVITIES
4. PARKING REQUIREMENTS
5. A. 3 HANDBALL COURTS @ 3 SP/CT. = 9
6. B. 1 EXIST. HANDBALL COURT @ 3 SP/CT. = 3
7. C. 3 TENNIS COURTS @ 3 SP/CT. = 9
8. D. BLDG AREA (REMAINDER) 16,860 SF @ 1 SP/308' = 157
9. E. TOTAL REQ. = 178
10. F. TOTAL PROVIDED = 234



LOREN D NENSEN
1140/566

16.77 AC
ZONED DR-35

EX. CIVIC, SOCIAL, RECREATIONAL,
EDUCATIONAL ACTIVITIES

DAN L PUNELL
2262/223
ZONED DR-35



PLAN TO ACCOMPANY APPLICATION FOR
ZONING VARIATION
TO AMEND ZONING ORDINANCE (DR-35)
ELECTION DISTRICT NO 3 BALTIMORE CO MD
SCALE: 1"=80'

DATE: FEB 11 1980
APRIL 4 1980

REYNOLDS ASSOCIATES, INC
121 SMALL BUILDING
704 E. RUPA ST
TOWSON, PA. 21286

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, TOWSON YMCA, legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing Under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an amendment to the site plan filed with Special Exception Case No. 67-136-X to allow the construction of an addition for handball courts and expansion of the existing parking areas.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser: John Burgess, Executive Director, Towson YMCA, 600 W. Chesapeake, Towson, MD. Legal Owner: Towson YMCA, 600 W. Chesapeake, Towson, MD. Protestants Attorney: Richard C. Whiteford, Whiteford, Taylor, Preston, et al., 2000 First Maryland Building, Baltimore, Maryland 21201.

ORDERED By the Zoning Commissioner of Baltimore County, this 7th day of April, 1980, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 13th day of May, 1980, at 1:30 o'clock P.M.

Signature of Zoning Commissioner of Baltimore County

(over)

98-232-504

Vertical stamp: RECEIVED... 80-232-504

It is FURTHER ORDERED that the amendment to the site plan filed in Case No. 67-136-X to provide parking adjacent to the easterly property line, as requested in the herein Petition for Special Hearing, be and the same is hereby DISMISSED with prejudice.

Signature of Zoning Commissioner of Baltimore County

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, TOWSON YMCA, legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing Under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an amendment to the site plan filed with Special Exception Case No. 67-136-X to allow the construction of an addition for handball courts and expansion of the existing parking areas.

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Contract Purchaser: John Burgess, Executive Director, Towson YMCA, 600 W. Chesapeake, Towson, MD. Legal Owner: Towson YMCA, 600 W. Chesapeake, Towson, MD. Protestants Attorney: Richard C. Whiteford, Whiteford, Taylor, Preston, et al., 2000 First Maryland Building, Baltimore, Maryland 21201.

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Signature of Zoning Commissioner of Baltimore County

(over)

It is FURTHER ORDERED that the amendment to the site plan filed in Case No. 67-136-X to provide parking adjacent to the easterly property line, as requested in the herein Petition for Special Hearing, be and the same is hereby DISMISSED with prejudice.

Signature of Zoning Commissioner of Baltimore County

98-232-504

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, TOWSON YMCA, legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing Under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an amendment to the site plan filed with Special Exception Case No. 67-136-X to allow the construction of an addition for handball courts and expansion of the existing parking areas.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser: John Burgess, Executive Director, Towson YMCA, 600 W. Chesapeake, Towson, MD. Legal Owner: Towson YMCA, 600 W. Chesapeake, Towson, MD. Protestants Attorney: Richard C. Whiteford, Whiteford, Taylor, Preston, et al., 2000 First Maryland Building, Baltimore, Maryland 21201.

ORDERED By the Zoning Commissioner of Baltimore County, this 7th day of April, 1980, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 13th day of May, 1980, at 1:30 o'clock P.M.

Signature of Zoning Commissioner of Baltimore County

(over)

ORDER RECEIVED FOR FILING

ORDER RECEIVED FOR FILING

DATE July 24, 1980 BY [Signature]

It is FURTHER ORDERED that the amendment to the site plan filed in Case No. 67-136-X to provide parking adjacent to the easterly property line, as requested in the herein Petition for Special Hearing, be and the same is hereby DISMISSED with prejudice.

Signature of Zoning Commissioner of Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITIONER'S EXHIBIT 2

PETITION AND SITE PLAN EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG. 123 W. Chesapeake Ave. Towson, Maryland 21204

MEMBERS: Bureau of Engineering, Department of Traffic Engineering, State Roads Commission, Bureau of Fire Prevention, Health Department, Project Planning, Building Department, Board of Education, Zoning Administration, Industrial Development

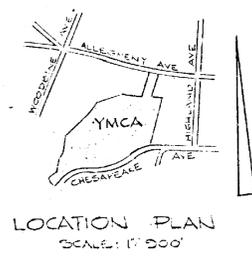
Richard C. Whiteford, Esquire, 2000 First Maryland Building, Baltimore, Maryland 21201

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case.

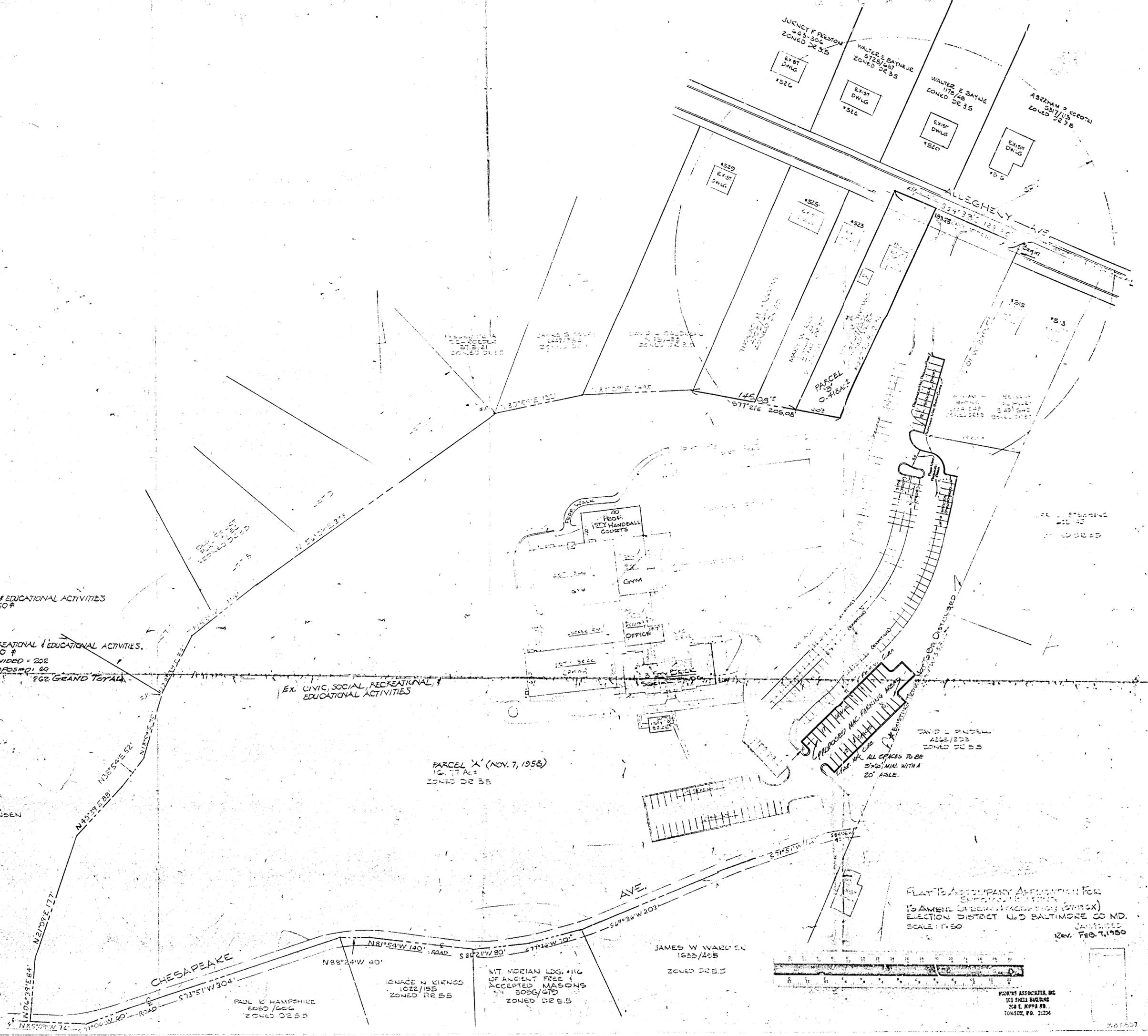
Because of your client's proposal to construct an addition to the existing Towson YMCA, this Special Hearing to amend the original site plan that was granted as a result of Case No. 67-136X, is required.

Particular attention should be afforded to the comments of the Office of Planning, concerning the proposed screening, the comments of the Department of Permits and Licenses, concerning the type of construction of the proposed addition, and also these comments from the Fire Department. For further information on the comments from the latter department, I suggest you contact Captain Kelly at 494-3985.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted.



- NOTES:
1. PARCEL A
 A. AREA: 16.77 AC. ±
 B. ZONING: DR 3.5
 C. EX. USE: RESIDENTIAL
 D. PRO. USE: CIVIC, SOCIAL, RECREATIONAL & EDUCATIONAL ACTIVITIES
 E. TOTAL BUILDING AREA: 1060 #
 F. TOTAL PARKING SPACES PROVIDED: 202
 G. TOTAL PARKING SPACES PROPOSED: 160
 H. GRAND TOTAL: 262
 2. PARCEL B
 A. AREA: 0.418 AC. ±
 B. EX. ZONING: DR 3.5
 C. EX. USE: RESIDENTIAL
 D. PRO. USE: CIVIC, SOCIAL, RECREATIONAL & EDUCATIONAL ACTIVITIES
 E. TOTAL BUILDING AREA: 1060 #
 F. TOTAL PARKING SPACES PROVIDED: 202
 G. TOTAL PARKING SPACES PROPOSED: 160
 H. GRAND TOTAL: 262



PLAT TO ACCOMPANY APPLICATION FOR
 SUPPLEMENTAL ZONING
 TO AMEND CHESAPEAKE ELECTION DISTRICT (21-130X)
 ELECTION DISTRICT NO. 9 BALTIMORE CO. MD.
 SCALE: 1" = 50'
 JANUARY 1980
 12th FEB. 7, 1980



MCKIN'S ASSOCIATES, INC.
 101 SMITH BUILDING
 210 E. JOPPA RD.
 TOWSON, MD. 21286

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that:

1. On January 16, 1967, an Order was rendered for the subject property by former Zoning Commissioner John G. Rose granting a special exception for a gymnasium building for civic, social, recreational, and educational activities (Case No. 67-136-X).
2. Subsequent thereto, the Petitioner filed the subject Petition for Special Hearing to approve "an amendment to the site plan filed with Special Exception Case No. 67-136-X to allow the construction of an addition for handball courts and expansion of the existing parking areas", both in accordance with the site plan prepared by Hudkins Associates, Inc., revised April 4, 1980, and marked Petitioner's Exhibit 1.
3. Testimony presented by the Petitioner was to the effect that demand by their members necessitated the need to expand their facilities to provide additional handball courts and, although their present parking spaces meet the County parking requirements for the existing facilities and the proposed addition, provide additional parking adjacent to the easterly property line for anticipated overflow.
4. The Protestants offered testimony indicating existing storm water run-off problems, increase in traffic problems by reason of the usage of the present facilities, lack of security or control over usage, and the usage of the property amounting to a general nuisance to the property owners in the area.
5. The Petitioner, by letter dated May 19, 1980, withdrew the request for additional parking as provided for and shown on the aforementioned site plan marked Petitioner's Exhibit 1.
6. To approve the amendment will not be detrimental to the health, safety, and general welfare of the community and will be within the spirit and intent of the Baltimore County Zoning Regulations.

and, therefore,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 24th day of July, 1980, that the amendment to the site plan filed in Case No. 67-136-X to allow the construction of an addition (40' x 80') to the existing improvements for handball courts, in accordance with the above referred to site plan, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The construction or installation of a storm water retention facility, as approved by the Department of Public Works, sufficient to handle the increase in the storm water run-off by those improvements made to the Petitioner's property since January 16, 1967, including the proposed addition.
2. The placement of trash containers, as approved by the Office of Planning and Zoning, so as to minimize the dumping or depositing of trash on neighboring properties.
3. The development of a plan of security to prevent the parking of vehicles on the Petitioner's property by those persons not availing themselves of the Petitioner's facilities.
4. A revised site plan shall be submitted, incorporating thereon all of the above restrictions and deleting therefrom the proposed parking adjacent to the easterly property line, and approved by the Department of Public Works and the Office of Planning and Zoning, including landscaping and screening approval by the Current Planning and Development Division.

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that:

1. On January 16, 1967, an Order was rendered for the subject property by former Zoning Commissioner John G. Rose granting a special exception for a gymnasium building for civic, social, recreational, and educational activities (Case No. 67-136-X).
2. Subsequent thereto, the Petitioner filed the subject Petition for Special Hearing to approve "an amendment to the site plan filed with Special Exception Case No. 67-136-X to allow the construction of an addition for handball courts and expansion of the existing parking areas", both in accordance with the site plan prepared by Hudkins Associates, Inc., revised April 4, 1980, and marked Petitioner's Exhibit 1.
3. Testimony presented by the Petitioner was to the effect that demand by their members necessitated the need to expand their facilities to provide additional handball courts and, although their present parking spaces meet the County parking requirements for the existing facilities and the proposed addition, provide additional parking adjacent to the easterly property line for anticipated overflow.
4. The Protestants offered testimony indicating existing storm water run-off problems, increase in traffic problems by reason of the usage of the present facilities, lack of security or control over usage, and the usage of the property amounting to a general nuisance to the property owners in the area.
5. The Petitioner, by letter dated May 19, 1980, withdrew the request for additional parking as provided for and shown on the aforementioned site plan marked Petitioner's Exhibit 1.
6. To approve the amendment will not be detrimental to the health, safety, and general welfare of the community and will be within the spirit and intent of the Baltimore County Zoning Regulations.

and, therefore,

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Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that:

1. On January 16, 1967, an Order was rendered for the subject property by former Zoning Commissioner John G. Rose granting a special exception for a gymnasium building for civic, social, recreational, and educational activities (Case No. 67-136-X).
2. Subsequent thereto, the Petitioner filed the subject Petition for Special Hearing to approve "an amendment to the site plan filed with Special Exception Case No. 67-136-X to allow the construction of an addition for handball courts and expansion of the existing parking areas", both in accordance with the site plan prepared by Hudkins Associates, Inc., revised April 4, 1980, and marked Petitioner's Exhibit 1.
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4. The Protestants offered testimony indicating existing storm water run-off problems, increase in traffic problems by reason of the usage of the present facilities, lack of security or control over usage, and the usage of the property amounting to a general nuisance to the property owners in the area.
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6. To approve the amendment will not be detrimental to the health, safety, and general welfare of the community and will be within the spirit and intent of the Baltimore County Zoning Regulations.

and, therefore,

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 24th day of July, 1980, that the amendment to the site plan filed in Case No. 67-136-X to allow the construction of an addition (40' x 80') to the existing improvements for handball courts, in accordance with the above referred to site plan, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The construction or installation of a storm water retention facility, as approved by the Department of Public Works, sufficient to handle the increase in the storm water run-off by those improvements made to the Petitioner's property since January 16, 1967, including the proposed addition.
2. The placement of trash containers, as approved by the Office of Planning and Zoning, so as to minimize the dumping or depositing of trash on neighboring properties.
3. The development of a plan of security to prevent the parking of vehicles on the Petitioner's property by those persons not availing themselves of the Petitioner's facilities.
4. A revised site plan shall be submitted, incorporating thereon all of the above restrictions and deleting therefrom the proposed parking adjacent to the easterly property line, and approved by the Department of Public Works and the Office of Planning and Zoning, including landscaping and screening approval by the Current Planning and Development Division.

ORDER RECEIVED FOR FILING

DATE July 24, 1980
BY [Signature]
ADMINISTRATIVE ASSISTANT

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR
March 27, 1980

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #168 (1979-1980)
Property Owner: Towson YMCA
5/S Allegheny Avenue 480' W. Highland Avenue
Existing Zoning: DR 3.5
Proposed Zoning: Special Hearing to amend Case No. 67-136-X to allow for expansion.
Acres: 17.19 District: 9th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Allegheny Avenue, formerly State Route 141 and now a County road, is proposed to be further improved in the future as a 44-foot closed section roadway on a 60-foot right-of-way in this vicinity.

Chesapeake Avenue, an existing public road, is proposed to be improved in the future on a 60-foot right-of-way.

Highway rights-of-way widenings, including any necessary reversible easements for slopes, will be required in connection with any grading or building permit application.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

Item #168 (1979-1980)
Property Owner: Towson YMCA
Page 2
March 27, 1980

Storm Drains: (Cont'd)

In accordance with the drainage policy, the Petitioner is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall.

Open stream drainage requires a drainage reservation or easement of sufficient width to cover the flood plain of a 100-year design storm. However, a minimum width of 50 feet is required.

Any storm drains required, in connection with further development of this property, are to be designed and constructed in accordance with Baltimore County Standards and Specifications.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Sanitary Sewer:

Public water supply is serving this property. There are public 12 and 6-inch water mains in Allegheny and Chesapeake Avenues, respectively. Baltimore County has initiated a project to design a 12-inch public water main to replace the present 6-inch water main in Chesapeake Avenue from Bosley Avenue to the YMCA building.

Public sanitary sewerage is serving this property. There is public 8-inch sanitary sewerage in Allegheny and Chesapeake Avenues.

Very truly yours,

[Signature]
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

cc: J. Somers

O-NE and N-NW Key Sheets
38 and 39 NE and NW 1 Pos. Sheets
NE and NW 10 A Topo
70 Tax Map

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3211

JOHN D. SEYFFERT
DIRECTOR

April 21, 1980

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comment on Item #168, Zoning Advisory Committee Meeting, February 19, 1980, are as follows:

Property Owner: Towson YMCA
Location: 5/S Allegheny Avenue 480' W. Highland Avenue
Existing Zoning: D.R.3.5
Proposed Zoning: Special Hearing to amend Case No. 67-136-X to allow for expansion
Acres: 17.19
District: 9th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

Four foot high compact screening must be provided where the parking areas are across the street or adjacent to residential premises.

Very truly yours,

[Signature]
John L. Wimbley
Planner III
Current Planning and Development

Item No. 168
Special Hearing Petition
May 2, 1980

for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,

[Signature]
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:hk

Enclosures

cc: Hudkins Associates, Inc.
101 Shell Building
200 E. Joppa Rd.
Towson, Md. 21204

baltimore county
department of traffic engineering
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHEN E. COLLINS
DIRECTOR

April 21, 1980

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 168 - ZAC - Meeting of February 19, 1980
Property Owner: Towson YMCA
Location: 5/S Allegheny Ave. 480' W. Highland Avenue
Existing Zoning: D.R. 3.5
Proposed Zoning: Special Hearing to amend Case No. 67-136-X to allow for expansion.

Acres: 17.19
District: 9th

Dear Mr. Hammond:

The proposed expansion of this site is not expected to cause any major traffic problems.

Very truly yours,

[Signature]
Michael S. Flanigan
Traffic Engineering Associate II

MSF/mjm

March 25, 1980

Mr. William E. Hammond, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item # 168, Zoning Advisory Committee meeting of February 19, 1980, are as follows:

Property Owner: Towson YMCA Location: S/S Allegheny Avenue 480' W Highland Avenue D.R. 3.5 Existing Zoning: D.R. 3.5 Proposed Zoning: Special Hearing to amend Case No. 67-136-X to allow for expansion Acres: 17.19 District: 9

Metropolitan water and sewer exist; therefore, no health hazards are anticipated.

Very truly yours,

Ian J. Forrest, Director BUREAU OF ENVIRONMENTAL SERVICES

IJF/mw

RE: PETITION FOR SPECIAL HEARING BEFORE THE ZONING COMMISSIONER S/S Allegheny Ave., 480' W of Highland Ave., 9th District OF BALTIMORE COUNTY TOWSON YMCA, Petitioners Case No. 80-232-SPH

ORDER TO ENTER APPEARANCE

Mr. Commissioners:

Pursuant to the authority contained in Section 524,1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman, John W. Hession, III Deputy People's Counsel

I HEREBY CERTIFY that on this 28th day of April, 1980, a copy of the foregoing Order was mailed to Richard C. Whiteford, Esquire, Whiteford, Taylor, Preston, et al., 2000 First Maryland Building, Baltimore, Maryland 21201, Attorney for Petitioner.

John W. Hession, III

PAUL H. REINCKE CHIEF

February 29, 1980

Mr. William Hammond Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Attention: Nick Commodori, Chairman Zoning Plans Advisory Committee

Re: Property Owner: Towson YMCA

Location: S/S Allegheny Ave. 480' W Highland Ave.

Item No: 168 Zoning Agenda: 2-19-80

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

- (x) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works. Along Chesapeake Ave.
2. A second means of vehicle access is required for the site.
3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department.
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy. See Section 16-4.2.3.
6. Site plans are approved as drawn.
7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: Noted and Approved: George M. Haganoff

IN RE: PETITION OF TOWSON YMCA FOR AMENDMENT TO THE SITE PLAN FILED WITH SPECIAL EXCEPTION CASE NO. 67-136-X OF BALTIMORE COUNTY

AMENDED NOTICE TO APPEAL

MR. COMMISSIONER:

Please enter an appeal by the Petitioner, Towson YMCA, from the Order of the Zoning Commissioner dated July 24, 1980. This appeal is limited to an appeal of Restriction No. 1 contained in the Order.

Richard C. Whiteford 2000 First Maryland Building 25 South Charles Street Baltimore, Maryland 21201 752-0987 Attorney for Petitioner, Towson YMCA

I HEREBY CERTIFY that a copy of the foregoing Amended Notice to Appeal was mailed this 21st day of August, 1980, to:

- Mr. Loren Jensen, Mrs. Joan Moore, Mr. William S. Baldwin, Mr. G. F. Hanson, Mrs. Berkley Matthews, Mrs. Mary Ginn, Mr. Anthony Lavazzo, John W. Hession, III, Esquire

Richard C. Whiteford

TED ZALESKI, JR. DIRECTOR

February 26, 1980

Mr. William E. Hammond, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #168 Zoning Advisory Committee Meeting, February 19, 1980 are as follows:

Property Owner: Towson YMCA Location: S/S Allegheny Ave. 480' W Highland Ave. Existing Zoning: D.R. 3.5 Proposed Zoning: Special Hearing to amend Case No. 67-136-X to allow for expansion

Acres: 17.19 District: 9th

The items checked below are applicable:

- X A. All structures shall conform to the Baltimore County Building Code 1978, the State of Maryland Code for the Handicapped and Aged, and other applicable Codes.
X B. A building/ permit shall be required before beginning construction.
C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/ is not required.
X D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
E. In wood frame construction an exterior wall erected within 6' 0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'-0" of lot line. A minimum 8" masonry firewall is required if construction is on the lot line.
F. Requested variance conflicts with the Baltimore County Building Code, Section/s
G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can classification of Table 211.
X I. Comments: It is assumed a professional has been consulted on the proposed addition and that it can be added to the existing building under the 1978 B.O.C.A. Code.

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., Towson.

Very truly yours, Charles E. Burbanck, Chief Plans Review

CEB:rrj

IN RE: PETITION OF TOWSON YMCA FOR AMENDMENT TO THE SITE PLAN FILED WITH SPECIAL EXCEPTION CASE NO. 67-136-X OF BALTIMORE COUNTY

AMENDED NOTICE TO APPEAL

MR. COMMISSIONER:

Please enter an appeal by the Petitioner, Towson YMCA, from the Order of the Zoning Commissioner dated July 24, 1980. This appeal is limited to an appeal of Restriction No. 1 contained in the Order.

Richard C. Whiteford 2000 First Maryland Building 25 South Charles Street Baltimore, Maryland 21201 752-0987 Attorney for Petitioner, Towson YMCA

I HEREBY CERTIFY that a copy of the foregoing Amended Notice to Appeal was mailed this 21st day of August, 1980, to:

- Mr. Loren Jensen, Mrs. Joan Moore, Mr. William S. Baldwin, Mr. G. F. Hanson, Mrs. Berkley Matthews, Mrs. Mary Ginn, Mr. Anthony Lavazzo, John W. Hession, III, Esquire

Richard C. Whiteford

TED ZALESKI, JR. DIRECTOR

April 14, 1980

Mr. William E. Hammond, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

REVISED Comments on Item #168 Zoning Advisory Committee Meeting, April 15, 1980 are as follows:

Property Owner: Towson YMCA Location: S/S Allegheny Ave. 480' W Highland Ave. Existing Zoning: D.R. 3.5 Proposed Zoning: Special Hearing to amend Case No. 67-136-X to allow for expansion

Acres: 17.19 District: 9th

The items checked below are applicable:

- X A. All structures shall conform to the Baltimore County Building Code 1978, the State of Maryland Code for the Handicapped and Aged, and other applicable Codes.
X B. A building/ permit shall be required before beginning construction.
C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/ is not required.
X D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
E. In wood frame construction an exterior wall erected within 6' 0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'-0" of lot line. A minimum 8" masonry firewall is required if construction is on the lot line.
F. Requested variance conflicts with the Baltimore County Building Code, Section/s
G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
X H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can classification of Table 211.
I. Comments:

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., Towson.

Very truly yours, Charles E. Burbanck, Chief Plans Review

CEB:rrj

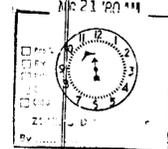
IN RE: PETITION OF TOWSON YMCA FOR AMENDMENT TO THE SITE PLAN FILED WITH SPECIAL EXCEPTION CASE NO. 67-136-X OF BALTIMORE COUNTY

NOTICE OF APPEAL

MR. COMMISSIONER:

Please enter an appeal by the Petitioner, Towson YMCA, from the Order of the Zoning Commissioner dated July 24, 1980. This appeal is limited to an appeal of Restriction No. 1 contained in the Order.

Richard C. Whiteford 2000 First Maryland Building 25 South Charles Street Baltimore, Maryland 21201 752-0987 Attorney for Petitioner, Towson YMCA



RE: PETITION FOR SPECIAL HEARING : IN THE CIRCUIT COURT
 Amendment to site plan : FOR BALTIMORE COUNTY
 S/S Allegheny Ave., 430' :
 W of Highland Ave., 9th District :
 TOWSON YMCA, Petitioner : AT LAW
 Zoning Case No. 80-232-SPH : Misc. Docket No. 13
 : Folio No. 264
 : File No. 7614

ORDER FOR APPEAL

Mr. Clerk:

Please note an appeal on behalf of the People's Counsel for Baltimore County to the Circuit Court for Baltimore County from the Opinion of the County Board of Appeals dated July 16, 1981, in the above-entitled case.

RECEIVED COUNTY BALTIMORE COUNTY AUG 14 10 13 AM '81 COUNTY BOARD OF APPEALS BY

John W. Hession, III
 John W. Hession, III
 Rm. 223, Court House
 Towson, Maryland 21204
 494-2188

Peter Max Zimmerman
 Peter Max Zimmerman
 Deputy People's Counsel

I HEREBY CERTIFY THAT on this 14th day of August, 1981, a copy of the foregoing Order for Appeal was delivered to the Administrative Secretary, County Board of Appeals, Rm. 200, Court House, Towson, Maryland 21204; and a copy thereof was mailed to Richard C. Whiteford, Esquire, Whiteford, Taylor, Preston, et al., 2000 First Maryland Building, Baltimore, Maryland 21201; Mr. Loren Jensen, 10 Burnbrae Road, Towson, Maryland 21204; Mr. William S. Baldwin, 406 Campbell Lane, Towson, Maryland 21204; Mrs. Berkley Matthews, 612 Joppa Road, Towson, Maryland 21204; Mr. Anthony Lavazzo, 612 Allegheny Avenue, Towson, Maryland 21204; Mrs. Joan Moore, 512 West Chesapeake Avenue, Towson, Maryland 21204; Mr. G. F. Hanson, 303 Dixie Drive, Towson,

Towson YMCA
 Case No. 80-232-SPH

- The placement of trash containers, as approved by the Office of Planning and Zoning, so as to minimize the dumping or depositing of trash on neighboring properties.
- The development of a plan of security to prevent the parking of vehicles on the Petitioner's property by those persons not availing themselves of the Petitioner's facilities.
- A revised site plan shall be submitted, incorporating thereon all of the above restrictions and deleting therefrom the proposed parking adjacent to the easterly property line, and approved by the Department of Public Works and the Office of Planning and Zoning, including landscaping and screening approval by the Current Planning and Development Division.

It is FURTHER ORDERED that the amendment to the site plan filed in Case No. 67-136-X to provide parking adjacent to the easterly property line, as requested in the herein Petition for Special Hearing, be and the same is hereby DISMISSED with prejudice.

Any appeal from this decision must be in accordance with Rules B-1 thru B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
 OF BALTIMORE COUNTY

William T. Hackett
 William T. Hackett, Chairman

John A. Miller
 John A. Miller

John V. Murphy
 John V. Murphy

Maryland 21204; and Mrs. Mary Ginn, 606 Horncrest Road, Towson, Maryland 21204.

John W. Hession, III
 John W. Hession, III

RE: PETITION FOR SPECIAL HEARING : IN THE
 Amendment to site plan : CIRCUIT COURT
 S/S Allegheny Ave., 480' W of :
 Highland Ave., 9th District : FOR
 TOWSON YMCA, Petitioner : BALTIMORE COUNTY
 Zoning Case No. 80-232-SPH : AT LAW
 John W. Hession, III, Esq., : Misc. Docket No. 13
 People's Counsel, Appellant : Folio No. 264
 : File No. 7614

CERTIFICATE OF NOTICE

Mr. Clerk:

Pursuant to the provisions of Rule B-2(d) of the Maryland Rules of Procedure, William T. Hackett, John A. Miller, and John V. Murphy, constituting the County Board of Appeals of Baltimore County, have given notice by mail of the filing of the appeal to the representative of every party to the proceeding before it; namely, Richard C. Whiteford, Esq., 2000 First Maryland Bldg., Baltimore, Md. 21201, Counsel for the Petitioner; Towson YMCA, Mr. John Burgess, Executive Director, 600 W. Chesapeake Ave., Towson, Md. 21204, Petitioner; Mr. Loren Jensen, 10 Burnbrae Rd., Towson, Md., 21204, Protestant; Mr. William S. Baldwin, 406 Campbell Lane, Towson, Md. 21204, Protestant; Mrs. Berkley Matthews, 612 Joppa Rd., Towson, Md. 21204, Protestant; Mr. Anthony Lavazzo, 612 Allegheny Ave., Towson, Md. 21204, Protestant; Mrs. Joan Moore, 512 W. Chesapeake Ave., Towson, Md. 21204, Protestant; Mr. G. F. Hanson, 303 Dixie Dr., Towson, Md. 21204, Protestant; Mrs. Mary Ginn, 606 Horncrest Road, Towson, Md. 21204, Protestant; and John W. Hession, III, Esq., Court House, Towson, Md., 21204, People's Counsel for Baltimore County, a copy of which Notice is attached hereto and prayed that it may be made a part thereof.

June Holman
 June Holman
 County Board of Appeals of Baltimore County
 Rm. 200, Court House, Towson, Md. 21204
 Telephone: 494-3190

RE: SPECIAL HEARING : BEFORE
 Amendment to site plan : COUNTY BOARD OF APPEALS
 South side Allegheny Avenue, :
 480' west of Highland Avenue : OF
 9th District :
 TOWSON YMCA, : BALTIMORE COUNTY
 Petitioner : No. 80-232-SPH

OPINION

This case comes before this Board on appeal from a decision of the Zoning Commissioner dated July 24, 1980, granting the amendment to the site plan filed in Case No. 67 136-X to allow the construction of some additional hand-ball courts to the facility with restrictions. It should be noted that an appeal to this Order was taken by a protestant and an appeal from the petitioner also. The petitioner's appeal, however, relates only to their compliance with restriction #1.

Petitioner's appeal centered on the wording of Restriction #1, requiring storm water control for all improvements on the property since January 16, 1967, including the proposed addition. Mr. David Billingsley, a design engineer with Hudkins Associates, testified that a holding pond could be built in such a manner that the water run-off could be adequately controlled from the existing buildings plus the proposed hand-ball courts and the tennis courts, this being about 3 1/2 acres of impervious area, but that there was no practical way to control the water run-off from the existing parking area. He presented the Board a topo-map of this location as Petitioner's Exhibit B to substantiate this. Dr. Loren Jensen, a property owner whose holdings abut the subject site to the north, testified in favor of this proposal as did John W. Burgess, Executive Director of this Y.M.C.A.

William Baldwin, 406 Camel Lane, whose property abuts the subject site to the east, testified in opposition to the granting of this amended site plan. He testified that he has resided there since 1964, before the Y.M.C.A. acquired this property. He stated that there are severe icing conditions on Chesapeake Avenue in the winter, generated

Towson YMCA
 Case No. 80-232-SPH

I HEREBY CERTIFY that a copy of the foregoing Certificate of Notice has been mailed to Richard C. Whiteford, Esq., 2000 First Maryland Bldg., Baltimore, Md., 21201, Counsel for the Petitioner; Towson YMCA, Mr. John Burgess, Executive Director, 600 W. Chesapeake Ave., Towson, Md. 21204, Petitioner; Mr. Loren Jensen, 10 Burnbrae Rd., Towson, Md. 21204, Protestant; Mr. William S. Baldwin, 406 Campbell Lane, Towson, Md. 21204, Protestant; Mrs. Berkley Matthews, 612 Joppa Rd., Towson, Md. 21204, Protestant; Mr. Anthony Lavazzo, 612 Allegheny Ave., Towson, Md. 21204, Protestant; Mrs. Joan Moore, 512 W. Chesapeake Ave., Towson, Md. 21204, Protestant; Mr. G. F. Hanson, 303 Dixie Dr., Towson, Md. 21204, Protestant; Mrs. Mary Ginn, 606 Horncrest Road, Towson, Md. 21204, Protestant; and John W. Hession, III, Esq., Court House, Towson, Md. 21204, People's Counsel for Baltimore County, on this 17th day of August, 1981.

June Holman
 June Holman
 County Board of Appeals of Baltimore County

cc: J. E. Dyer
 W. Hammond
T. Rigel
J. Howell

Towson YMCA
 Case No. 80-232-SPH

by the water run-off from this facility. He also stated that there are some traffic problems at present and could only visualize these as being compounded by the additional facilities requested. He also stated there are other discipline problems associated with the present use, i.e., drag races at night, no fencing on perimeters, considerable debris from the restaurant and sandwich shop, and problems with pedestrian traffic using his property as a short-cut to the Y.M.C.A. For all these reasons, Mr. Baldwin objected to the granting of the amended site plan allowing the additional hand-ball courts and accompanying increase in activities.

After consideration of all the testimony and evidence presented the Board this day, the Board is of the opinion that the Zoning Commissioner's Order should be affirmed. Mr. Baldwin's testimony was carefully considered. Since the new proposal for control of water run-off will divert some water now going onto Chesapeake Avenue to the holding pond, the icing condition could be improved. The other problems associated with the use of the subject site would not be cured by denying petitioner's request and in the opinion of the Board would not be significantly worsened by its granting. On recall testimony, Mr. Burgess testified that he is working with the police department on patrolling the property and has now employed custodians to remain on the property through the night time hours. For all these reasons, the Board will affirm the Order of the Zoning Commissioner dated July 24, 1980, with the exception that Restriction #1 be amended and will so order.

ORDER

For the reasons set forth above, it is this 16th day of July, 1981, by the County Board of Appeals, ORDERED that the Order of the Zoning Commissioner dated July 24, 1980, be AFFIRMED with the following restrictions:

- The construction or installation of a storm water retention facility, as approved by the Department of Public Works, sufficient to handle the storm water run-off from the existing buildings, existing tennis courts and the proposed additional hand-ball courts. No change in the water run-off control from the existing parking lot is to be required.

RE: PETITION FOR SPECIAL HEARING : IN THE CIRCUIT COURT
 Amendment to site plan : FOR BALTIMORE COUNTY
 S/S Allegheny Ave., 480' :
 W of Highland Ave., 9th District : AT LAW
 TOWSON YMCA, Petitioner : Misc. Docket No. 13
 Zoning Case No. 80-232-SPH : Folio No. 264
 John W. Hession, III :
 People's Counsel, Appellant : File No. 7614

PETITION ON APPEAL

The People's Counsel for Baltimore County, Protestant below and Appellant herein, having heretofore filed an Order for Appeal from the Order of the County Board of Appeals of Baltimore County, under date of July 16, 1981, granting the petition for special hearing for the Petitioner's property situate on the south side of Allegheny Avenue, west of Highland Avenue, in the 9th Election District of Baltimore County, in compliance with Maryland Rule B-2(e), files this Petition on Appeal setting forth the grounds upon which this appeal is taken, viz:

- That the County Board of Appeals in its said Order ignored the problems associated with unauthorized use of the parking areas maintained by the Petitioner and, while it did require Petitioner to undertake development of a plan to prevent the unauthorized use of its parking facilities, it did not require, as it should have, that Petitioner be required, as an integral part of the special hearing granted herein, to take all necessary steps to eliminate the other unauthorized use of its said facilities.

- That the County Board of Appeals should not have granted said special hearing authorizing additional facilities, and therefore additional and more intensive vehicular and pedestrian use of its property, and the adjacent highways and property of others, in the face of uncontradicted testimony before it as to the present existence of those problems.

RECEIVED BALTIMORE COUNTY AUG 12 1981

WHEREFORE, Appellant prays that the Order of the Board of Appeals of Baltimore County, under date of July 16, 1981, be reversed.

AND AS IN DUTY BOUND, etc.,

John W. Hession, III
People's Counsel for Baltimore County

Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 21st day of August, 1981, a copy of the foregoing Petition on Appeal was delivered to the Administrative Secretary, County Board of Appeals, Rm. 200, Court House, Towson, Maryland 21204; and a copy thereof was mailed to Richard C. Whiteford, Esquire, Whiteford, Taylor, Preston, et al., 2000 First Maryland Building, Baltimore, Maryland 21201; Mr. Loren Jensen, 10 Bumbroe Road, Towson, Maryland 21204; Mr. William S. Baldwin, 406 Campbell Lane, Towson, Maryland 21204; Mrs. Berkley Matthews, 612 Joppa Road, Towson, Maryland 21204; Mrs. Joan Moore, 512 West Chesapeake Avenue, Towson, Maryland 21204; Mr. G. F. Hanson, 303 Dixie Drive, Towson, Maryland 21204; and Mrs. Mary Ginn, 605 Hancock Road, Towson, Maryland 21204.

John W. Hession, III

Case No. 7614
John W. Hession, III, Peter Max Zimmerman
Richard C. Whiteford
PEOPLE'S COUNSEL FOR BALTIMORE COUNTY
PETITION FOR SPECIAL HEARING
Amendment to site plan
S/S Allegheny Ave., 450' W of Highland Ave., 9th District
TOWSON YMCA, Petitioner
Dr. John Burgess, Executive Director
Zoning Case No. 80-232-SPH
COUNTY BOARD OF APPEALS
WILLIAM T. HACKETT
JOHN A. MILLER
JOHN V. MURPHY
PROTESTANTS
MR. WILLIAM S. BALDWIN
MR. BERKLEY MATTHEWS
MR. ANTHONY LAVAZZO
MR. JOAN MOORE
MR. G. F. HANSON
MR. MARY GINN

- (1) August 14, 1981 People's Counsel's Order for Appeal from the opinion of the County Board of Appeals fd.
- (2) August 17, 1981 - Certificate of Notice from County Board of Appeals fd.
- (3) Aug. 21, 1981 Appellant's Petition fd.
- (4) Sept. 4, 1981 - Transcript of Record from the County Board of Appeals fd.
- (5) Sept. 4, 1981 - Notice of Filing of Record fd. Copy sent.
- (6) Sept. 14, 1981 - Deft's (Towson YMCA) Answer to Appeal fd.
- Dec. 2, 1981 Hon. Austin W. Prizendine. Hearing had. County Board of Appeals AFFIRMED per verbal Opinion of the Court.

RE: PETITION FOR SPECIAL HEARING : IN THE
Amendment to site plan : CIRCUIT COURT
S/S Allegheny Ave., 480' W of :
Highland Ave., : FOR
9th District :
Towson YMCA, Petitioner : BALTIMORE COUNTY
Zoning Case No. 80-232-SPH : AT LAW
John W. Hession, III, Esq., : Misc. Docket No. 13
People's Counsel, Appellant : Folio No. 264
 : File No. 7614

CERTIFIED COPIES OF PROCEEDINGS BEFORE THE ZONING COMMISSIONER AND BOARD OF APPEALS OF BALTIMORE COUNTY

TO THE HONORABLE, THE JUDGE OF SAID COURT:

And now come William T. Hackett, John A. Miller and John V. Murphy, constituting the County Board of Appeals of Baltimore County, and in answer to the Order for Appeal directed against them in this case, herewith return the record of proceedings had in the above entitled matter, consisting of the following certified copies or original papers on file in the office of the Zoning Department of Baltimore County:

ZONING ENTRIES FROM DOCKET OF ZONING COMMISSIONER OF BALTIMORE COUNTY

- No. 80-232-SPH
- April 7, 1980 - Petition of Towson YMCA for special hearing for an amendment to the site plan filed with Special Exception Case No. 67-136-X to allow the construction of an addition for handball courts and expansion of the existing parking areas
- April 7, 1980 - Order of Zoning Commissioner directing advertisement and posting of property - date of hearing set for May 13, 1980, at 1:30 p.m.
- April 24, 1980 - Certificate of Publication in newspaper - filed
- April 27, 1980 - " Posting of property - filed
- May 2, 1980 - Comments of Baltimore County Zoning Plans Advisory Committee - filed

RE: SPECIAL HEARING : BEFORE
Amendment to site plan : COUNTY BOARD OF APPEALS
South side Allegheny Avenue, :
480' west of Highland Avenue : OF
9th District :
TOWSON YMCA, : BALTIMORE COUNTY
Petitioner : No. 80-232-SPH

OPINION

This case comes before this Board on appeal from a decision of the Zoning Commissioner dated July 24, 1980, granting the amendment to the site plan filed in Case No. 67-136-X to allow the construction of some additional hand-ball courts to the facility with restrictions. It should be noted that an appeal to this Order was taken by a protestant and an appeal from the petitioner also. The petitioner's appeal, however, relates only to their compliance with restriction #1.

Petitioner's appeal centered on the wording of Restriction #1, requiring storm water control for all improvements on the property since January 16, 1967, including the proposed addition. Mr. David Billingsley, a design engineer with Hudkins Associates, testified that a holding pond could be built in such a manner that the water run-off could be adequately controlled from the existing buildings plus the proposed hand-ball courts and the tennis courts, this being about 3 1/2 acres of impervious area, but that there was no practical way to control the water run-off from the existing parking area. He presented the Board a topo-map of this location as Petitioner's Exhibit B to substantiate this. Dr. Loren Jensen, a property owner whose holdings abut the subject site to the north, testified in favor of this proposal as did John W. Burgess, Executive Director of this Y.M.C.A.

William Baldwin, 406 Camel Lane, whose property abuts the subject site to the east, testified in opposition to the granting of this amended site plan. He testified that he has resided there since 1964, before the Y.M.C.A. acquired this property. He stated that there are severe icing conditions on Chesapeake Avenue in the winter, generated

Towson YMCA
File No. 80-232-SPH
2.
April 13, 1980 At 1:30 p.m. hearing held on petition by Zoning Commissioner
July 24, 1980 Order of Zoning Commissioner granting amendment to the site plan for improvements to handball courts, subject to restrictions, and dismissing amendment to the site plan to provide parking adjacent to the easterly property line
August 15, 1980 Order of Appeal to County Board of Appeals from Order of Zoning Commissioner filed by William S. Baldwin
August 21, 1980 Order of Appeal to County Board of Appeals from Order of Zoning Commissioner filed by Richard C. Whiteford, Esq., Counsel for Petitioner, Towson YMCA
April 16, 1981 Hearing on appeal before County Board of Appeals
July 16, 1981 Order of County Board of Appeals affirming Order of the Zoning Commissioner with restrictions
August 14, 1981 Order of Appeal filed in the Circuit Court for Baltimore County by People's Counsel for Baltimore County
August 17, 1981 Certificate of Notice sent to all interested parties
August 21, 1981 Petition to accompany Order for Appeal filed in Circuit Court for Baltimore County
Sept. 3, 1981 Transcript of testimony filed - 1 volume
Petitioner's Exhibit No. 1 - Marked up plat of subject site
" " " 2 - Topo map of area
People's Counsel Exhibit No. 1a to 1h - Series of photos of subject site and surrounding area
Sept. 4, 1981 Record of proceedings filed in the Circuit Court for Baltimore County
Record of proceedings pursuant to which said Order was entered and said Board acted are permanent records of the Zoning Department of Baltimore County, and your respondents respectively suggest that it would be inconvenient and inappropriate to file the same in this proceeding, but your respondents will produce any and all such rules and regulations whenever directed to do so by this Court.
Respectfully submitted,
June Holmen
County Board of Appeals of Baltimore County

cc: Richard C. Whiteford, Esq.
John W. Hession, III, Esq.

Towson YMCA
Case No. 80-232-SPH
2.
by the water run-off from this facility. He also stated that there are some traffic problems at present and could only visualize these as being compounded by the additional facilities requested. He also stated there are other discipline problems associated with the present use, i.e., drag races at night, no fencing on perimeters, considerable debris from the restaurant and sandwich shop, and problems with pedestrian traffic using his property as a short-cut to the Y.M.C.A. For all these reasons, Mr. Baldwin objected to the granting of the amended site plan allowing the additional hand-ball courts and accompanying increase in activities.
After consideration of all the testimony and evidence presented the Board this day, the Board is of the opinion that the Zoning Commissioner's Order should be affirmed. Mr. Baldwin's testimony was carefully considered. Since the new proposal for control of water run-off will divert some water now going onto Chesapeake Avenue to the holding pond, the icing condition could be improved. The other problems associated with the use of the subject site would not be cured by denying petitioner's request and in the opinion of the Board would not be significantly worsened by its granting. On recall testimony, Mr. Burgess testified that he is working with the police department on patrolling the property and has now employed custodians to remain on the property through the night time hours. For all these reasons, the Board will affirm the Order of the Zoning Commissioner dated July 24, 1980, with the exception that Restriction #1 be amended and will so order.

ORDER

For the reasons set forth above, it is this 16th day of July, 1981, by the County Board of Appeals, ORDERED that the Order of the Zoning Commissioner dated July 24, 1980; be AFFIRMED with the following restrictions:

- 1. The construction or installation of a storm water retention facility, as approved by the Department of Public Works, sufficient to handle the storm water run-off from the existing buildings, existing tennis courts and the proposed additional hand-ball courts. No change in the water run-off control from the existing parking lot is to be required.

RE: PETITION FOR SPECIAL HEARING : BEFORE THE COUNTY BOARD OF APPEALS
S/S of Allegheny Ave., 480' :
W of Highland Ave., 9th District : OF BALTIMORE COUNTY
TOWSON YMCA, Petitioner : Case No. 80-232-SPH

ORDER FOR SUBPOENA

Madame Secretary:

Please issue a subpoena for:

Honorable William S. Baldwin
District Court of Maryland
111 Allegheny Avenue
Towson, Maryland 21204

to appear as a witness on behalf of the People's Counsel for Baltimore County at the hearing scheduled in this matter before the County Board of Appeals for Thursday, April 16, 1981, at 10 a.m., to attend said hearing on that date and on any subsequent days upon which it might be thereafter scheduled.

RECEIVED
BALTIMORE COUNTY
MAY 18 2 04 PM '81
COUNTY CLERK
BY

John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

Mr. Sheriff:

Please issue the above summons.

Edith T. Eisenhart, Adm. Secretary
County Board of Appeals of Baltimore County

Towson YMCA
Case No. 80-232-SPH
3.
2. The placement of trash containers, as approved by the Office of Planning and Zoning, so as to minimize the dumping or depositing of trash on neighboring properties.
3. The development of a plan of security to prevent the parking of vehicles on the Petitioner's property by those persons not availing themselves of the Petitioner's facilities.
4. A revised site plan shall be submitted, incorporating thereon all of the above restrictions and deleting therefrom the proposed parking adjacent to the easterly property line, and approved by the Department of Public Works and the Office of Planning and Zoning, including landscaping and screening approval by the Current Planning and Development Division.
It is FURTHER ORDERED that the amendment to the site plan filed in Case No. 67-136-X to provide parking adjacent to the easterly property line, as requested in the herein Petition for Special Hearing, be and the same is hereby DISMISSED with prejudice.
Any appeal from this decision must be in accordance with Rules B-1 thru B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett
William T. Hackett, Chairman

John A. Miller
John A. Miller

John V. Murphy
John V. Murphy

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

July 24, 1980

Richard C. Whiteford, Esquire
2000 First Maryland Building
Baltimore, Maryland 21201

RE: Petition for Special Hearing
S/S of Allegheny Avenue, 490' W
of Highland Avenue - 9th Election
District
Townson YMCA - Petitioner
NO. 80-232-SPH (Item No. 168)

Dear Mr. Whiteford:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours,

WILLIAM E. HAMMOND
Zoning Commissioner

WEH/srl

Attachments

cc: Mr. Loren Jensen
10 Burnbrae Road
Towson, Maryland 21204

Mr. William S. Baldwin
406 Campbell Lane
Towson, Maryland 21204

Mrs. Berkley Matthews
612 Joppa Road
Towson, Maryland 21204

Mr. Anthony Lavazzo
612 Allegheny Avenue
Towson, Maryland 21204

Mrs. Joan Moore
512 West Chesapeake Avenue
Towson, Maryland 21204

Mr. G. F. Hanson
303 Dixie Drive
Towson, Maryland 21204

Mrs. Mary Ginn
606 Horncrest Road
Towson, Maryland 21204

John W. Hessian, III, Esquire
People's Counsel

It is FURTHER ORDERED that the amendment to the site plan filed in Case No. 67-136-X to provide parking adjacent to the easterly property line, as requested in the herein Petition for Special Hearing, be and the same is hereby DISMISSED with prejudice.

WILLIAM E. HAMMOND
Zoning Commissioner of
Baltimore County

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204

APPEALS TO THE
COUNTY BOARD OF APPEALS

Mr. Anthony Lavazzo
612 Allegheny Avenue
Towson, Maryland 21204

APPEALS TO THE
COUNTY BOARD OF APPEALS

Appeal must be in writing.
Person or persons appealing must be named with addresses given.

Appeal must be filed within thirty (30) days from the date of the final Order.

Fees for Appeals are as follows:

- Appeals from granting or refusing to grant a Reclassification, Districting or Special Exception - \$70.00 plus the cost of posting.
- Any other appeal from an act or refusal to act by the Zoning Commissioner - \$35.00 plus the cost of posting.

Checks for fees must be made payable to BALTIMORE COUNTY, MARYLAND.

The appeal must be addressed whether or not the hearing was before the Zoning Commissioner or the Deputy Zoning Commissioner as follows:

ZONING COMMISSIONER
County Office Building
Towson, Maryland 21204

For completed information see Section 500.10 and Section 501.8 of the Baltimore County Zoning Regulations.

WILLIAM E. HAMMOND
Zoning Commissioner

Case No. 80-232-SPH
Item No. 168

S/S Allegheny Avenue, 480'
W of Highland Avenue
TOWSON YMCA
9th District

- SH-amendment to site plan
- Copy of Petition
 - Copy of Description of Property
 - Copy of Certificate of Posting - 2 signs
 - Copy of Certificates of Publication
 - Copy of Zoning Advisory Committee Comments
 - Copy of Comments from the Director of Planning
 - Planning Board Comments and Accompanying Map
 - Copy of Order to Enter Appearance
 - Copy of Order - ~~sent to~~ Zoning Commissioner, 7-24-80
 - Copy of Plat of Property
 - 200' Scale Location Plan
 - 1000' Scale Location Plan
 - Memorandum in Support of Petition
 - Letter(s) from Protestant(s)
 - Letter(s) from Petitioner(s), Richard C. Whiteford, Esq
 - Protestants' Exhibits ___ to ___
 - Petitioners' Exhibits 1 to 2 Plat, ZAC Comments
 - Letter of Appeal, William S. Baldwin, 8-15-80
Richard C. Whiteford, Esquire, 8-21-80

Richard C. Whiteford, Esquire
2000 First Maryland Building
Baltimore, Maryland 21201
Attorney for Petitioner

Towson YMCA
Mr. John Burgess, Executive Director
600 W. Chesapeake Avenue
Towson, Maryland 21204
Petitioner

Mr. Loren Jensen
10 Burnbrae Road
Towson, Maryland 21204
Protestant

Mr. William S. Baldwin
406 Campbell Lane
Towson, Maryland 21204
" - APPELLANT

Mrs. Berkley Matthews
612 Joppa Road
Towson, Maryland 21204
"

Mr. Anthony Lavazzo
612 Allegheny Avenue
Towson, Maryland 21204
"

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, TOWSON YMCA, legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing Under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an amendment to the site plan filed with Special Exception Case No. 67-136-X to allow the construction of an addition for handball courts and expansion of the existing parking areas.

Property is to be posted and advertised as proscribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

John Burgess, Executive Director
Contract Purchaser
Towson YMCA
600 W. Chesapeake
Towson, MD.
Legal Owner

Richard C. Whiteford
Petitioner's Attorney
Whiteford, Taylor, Preston, et al.
2000 First Maryland Building
Baltimore, Maryland 21201
Protestant's Attorney

ORDERED By the Zoning Commissioner of Baltimore County, this 7th day of April, 1980, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 12th day of May, 1980, at 1:30 o'clock P.M.

WILLIAM E. HAMMOND
Zoning Commissioner of Baltimore County

(over)

Mrs. Joan Moore
512 W. Chesapeake Avenue
Towson, Maryland 21204
Protestant

Mr. G.F. Hanson
303 Dixie Drive
Towson, Maryland 21204
"

Mrs. Mary Ginn
606 Horncrest Road
Towson, Maryland 21204
"

John W. Hessian, III, Esquire
James E. Dyer
Wm. Hammond
People's Counsel
Request Notification
Zoning office

RECEIVED
BALTIMORE COUNTY
AUG 27 10 56 AM '80
COUNTY CLERK
BY: [Signature]

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that:

- On January 16, 1967, an Order was rendered for the subject property by former Zoning Commissioner John G. Rose granting a special exception for a gymnasium building for civic, social, recreational, and educational activities (Case No. 67-136-X).
- Subsequent thereto, the Petitioner filed the subject Petition for Special Hearing to approve "an amendment to the site plan filed with Special Exception Cas. No. 67-136-X to allow the construction of an addition for handball courts and expansion of the existing parking areas", both in accordance with the site plan prepared by Hudkins Associates, Inc., revised April 4, 1980, and marked Petitioner's Exhibit 1.
- Testimony presented by the Petitioner was to the effect that demand by their members necessitated the need to expand their facilities to provide additional handball courts and, although their present parking spaces meet the County parking requirements for the existing facilities and the proposed addition, provide additional parking adjacent to the easterly property line for anticipated overflow.
- The Protestants offered testimony indicating existing storm water run-off problems, increase in traffic problems by reason of the usage of the present facilities, lack of security or control over usage, and the usage of the property amounting to a general nuisance to the property owners in the area.
- The Petitioner, by letter dated May 19, 1980, withdrew the request for additional parking as provided for and shown on the aforementioned site plan marked Petitioner's Exhibit 1.
- To approve the amendment will not be detrimental to the health, safety, and general welfare of the community and will be within the spirit and intent of the Baltimore County Zoning Regulations.

and, therefore,
IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 24th day of July, 1980, that the amendment to the site plan filed in Case No. 67-136-X to allow the construction of an addition (40' x 80') to the existing improvements for handball courts, in accordance with the above referred to site plan, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

- The construction or installation of a storm water retention facility, as approved by the Department of Public Works, sufficient to handle the increase in the storm water run-off by those improvements made to the Petitioner's property since January 16, 1967, including the proposed addition.
- The placement of trash containers, as approved by the Office of Planning and Zoning, so as to minimize the dumping or depositing of trash on neighboring properties.
- The development of a plan of security to prevent the parking of vehicles on the Petitioner's property by those persons not availing themselves of the Petitioner's facilities.
- A revised site plan shall be submitted, incorporating thereon all of the above restrictions and deleting therefrom the proposed parking adjacent to the easterly property line, and approved by the Department of Public Works and the Office of Planning and Zoning, including landscaping and screening approval by the Current Planning and Development Division.

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
S/S of Allegheny Ave., 480' : OF BALTIMORE COUNTY
W of Highland Ave., 9th District :
TOWSON YMCA, Petitioners : Case No. 80-232-SPH

ORDER TO ENTER APPEARANCE

Mr. Commissioner:
Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be new or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Deputy People's Counsel

John W. Hessian, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 28th day of April, 1980, a copy of the foregoing Order was mailed to Richard C. Whiteford, Esquire, Whiteford, Taylor, Preston, et al., 2000 First Maryland Building, Baltimore, Maryland 21201, Attorney for Petitioner.

John W. Hessian, III

August 22, 1980

Case No. 80-232-SPH
Item No. 168

S Allegheny Avenue, 480'
W of Highland Avenue

TOWSON YMCA

- ✓ 1. Copy of Petition
- ✓ 2. Copy of Description of Property
- ✓ 3. Copy of Certificate of Posting - 2 sign.
- ✓ 4. Copy of Certificates of Publication
- ✓ 5. Copy of Zoning Advisory Committee Comments
- ✓ 6. Copy of Comments from the Director of Planning
- 7. Planning Board Comments and Accompanying Map
- ✓ 8. Copy of Order to Enter Appearance
- ✓ 9. Copy of Order - Zoning/Deputy Zoning Commissioner
- ✓ 10. Copy of Plat of Property
- 11. 200' Scale Location Plan
- 12. 1000' Scale Location Plan
- 13. Memorandum in Support of Petition
- 14. Letter(s) from Protestant(s)
- 15. Letter(s) from Petitioner(s), Richard C. Whiteford, Esq
- 16. Protestants' Exhibits ___ to ___
- 17. Petitioners' Exhibits 1 to 2 Plat, ZAC Comments
- 18. Letter of Appeal, William S. Baldwin
Richard C. Whiteford, Esquire

Richard C. Whiteford, Esquire
2000 First Maryland Building
Baltimore, Maryland 21201

Attorney for Petitioner

Towson YMCA
Mr. John Burgess, Executive Director
600 W. Chesapeake Avenue
Towson, Maryland 21204

Petitioner

Mr. Loren Jensen
10 Burnbrae Road
Towson, Maryland 21204

Protestant

Mr. William S. Baldwin
406 Campbell Lane
Towson, Maryland 21204

"

Mrs. Berkley Matthews
612 Joppa Road
Towson, Maryland 21204

"

Mr. Anthony Lavazzo
612 Allegheny Avenue
Towson, Maryland 21204

"

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond
Zoning Commissioner
TO: John D. Seyffert, Director
Office of Planning and Zoning
Date: April 23, 1980

FROM: Petition No. 80-232 SPH Item 168

SUBJECT: Petition for Special Hearing
South side of Allegheny Avenue, 480 feet West of Highland Avenue
Petition - Towson YMCA

Petition for Special Hearing
South side of Allegheny Avenue, 480 feet West of Highland Avenue
Petition - Towson YMCA

Ninth District

HEARING: Tuesday, May 13, 1980 (1:30 P.M.)

The petitioner's proposal for handball courts is obviously appropriate here. This office is unsure, however, as to the applicability of the transition area restrictions to a hearing to amend the plan for an existing special exception.

If the petition is granted, it is requested that the order be conditioned to require screening in the form of landscaping for the parking areas and that such detail be approved by the Division of Current Planning and Development.

JDS:JGH:eb

John D. Seyffert
John D. Seyffert, Director
Office of Planning and Zoning

PETITIONER'S
EXHIBIT 2

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 2, 1980

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Richard C. Whiteford, Esquire
2000 First Maryland Building
Baltimore, Maryland 21201

MEMBERS

Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

RE: Item No. 168
Petitioner- Towson YMCA
Special Hearing Petition

Dear Mr. Whiteford:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Because of your client's proposal to construct an addition to the existing Towson YMCA, this Special Hearing to amend the original site plan that was granted as a result of Case No. 67-136X, is required.

Particular attention should be afforded to the comments of the Office of Planning, concerning the proposed screening, the comments of the Department of Permits and Licenses, concerning the type of construction of the proposed addition, and also those comments from the Fire Department. For further information on the comments from the latter department, I suggest you contact Captain Kelly at 494-3985.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted

Item No. 168
Special Hearing Petition
May 2, 1980

for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:hk

Enclosures

cc: Hudkins Associates, Inc.
101 Shell Building
200 E. Joppa Rd.
Towson, Md. 21204

Item #168 (1979-1980)
Property Owner: Towson YMCA
Page 2
March 27, 1980

Storm Drains: (Cont'd)

In accordance with the drainage policy, the Petitioner is responsible for the total actual cost of drainage facilities required to carry the storm water runoff through the property to be developed to a suitable outfall.

Open stream drainage requires a drainage reservation or easement of sufficient width to cover the flood plain of a 100-year design storm. However, a minimum width of 50 feet is required.

Any storm drains required, in connection with further development of this property, are to be designed and constructed in accordance with Baltimore County Standards and Specifications.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Sanitary Sewer:

Public water supply is serving this property. There are public 12 and 6-inch water mains in Allegheny and Chesapeake Avenues, respectively. Baltimore County has initiated a project to design a 12-inch public water main to replace the present 6-inch water main in Chesapeake Avenue from Bosley Avenue to the YMCA building.

Public sanitary sewerage is serving this property. There is public 8-inch sanitary sewerage in Allegheny and Chesapeake Avenues.

Very truly yours,

Ellsworth N. Diver
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

cc: J. Somers

C-NE and N-NW Key Sheets
38 and 39 NE and NW 1 Pos. Sheets
NE and NW 10 A Topo
70 Tax Map



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3211

JOHN D. SEYFFERT
DIRECTOR

April 21, 1980

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #168, Zoning Advisory Committee Meeting, February 19, 1980, are as follows:

Property Owner: Towson YMCA
Location: S/S Allegheny Avenue 480' W. Highland Avenue
Existing Zoning: D.R.3.5
Proposed Zoning: Special Hearing to amend Case No. 67-136-X to allow for expansion
Acres: 17.19
District: 9th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

Four foot high compact screening must be provided where the parking areas are across the street or adjacent to residential premises.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Current Planning and Development



baltimore county
department of traffic engineering
TOWSON, MARYLAND 21204
3011 494 3550

STEPHEN E. COLLINS
DIRECTOR

April 21, 1980

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 168 - ZAC - Meeting of February 19, 1980
Property Owner: Towson YMCA
Location: S/S Allegheny Ave. 480' W. Highland Avenue
Existing Zoning: D.R. 3.5
Proposed Zoning: Special Hearing to amend Case No. 67-136-X to allow for expansion.

Acres: 17.19
District: 9th

Dear Mr. Hammond:

The proposed expansion of this site is not expected to cause any major traffic problems.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineering Associate II

HSP/mjm



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

March 27, 1980

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #168 (1979-1980)
Property Owner: Towson YMCA
S/S Allegheny Avenue 480' W. Highland Avenue
Existing Zoning: DR 3.5
Proposed Zoning: Special Hearing to amend Case No. 67-136-X to allow for expansion.
Acres: 17.19 District: 9th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Allegheny Avenue, formerly State Route 141 and now a County road, is proposed to be further improved in the future as a 44-foot closed section roadway on a 60-foot right-of-way in this vicinity.

Chesapeake Avenue, an existing public road, is proposed to be improved in the future on a 60-foot right-of-way.

Highway rights-of-way widenings, including any necessary revertible easements for slopes, will be required in connection with any grading or building permit application.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

March 25, 1980

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item # 168, Zoning Advisory Committee meeting of February 19, 1980, are as follows:

Property Owner: Towson YMCA
Location: S/S Allegany Avenue 480' W Highland Avenue
Existing Zoning: D.R. 3-5
Proposed Zoning: Special Hearing to amend Case No. 67-136-X to allow for expansion
Address: 17.19
District: 9

Metropolitan water and sewer exist; therefore, no health hazards are anticipated.

Very truly yours,

Lee J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF/mes

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H. RENCKE
CHIEF

February 29, 1980

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Comodari, Chairman
Zoning Plans Advisory Committee

Re: Property Owner: Towson YMCA

Location: S/S Allegany Ave. 480' W Highland Ave.

Item No: 168 Zoning Agenda: 2-19-80

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

- (x) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works. Along Chesapeake Ave.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy. See Section 16-4.2.1.1, and Section 16-4.2.3.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: George M. Hegardt Noted and Approved: George M. Hegardt
Planning Group Fire Prevention Bureau
Special Inspection Division

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

TED ZALESKI JR.
DIRECTOR

February 26, 1980

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #168 Zoning Advisory Committee Meeting, February 19, 1980 are as follows:

Property Owner: Towson YMCA
Location: S/S Allegany Ave. 480' W Highland Ave.
Existing Zoning: D.R. 3-5
Proposed Zoning: Special Hearing to amend Case No. 67-136-X to allow for expansion

Address: 17.19
District: 9th

The items checked below are applicable:

- X A. All structures shall conform to the Baltimore County Building Code 1978, the State of Maryland Code for the Handicapped and Aged; and other applicable Codes.
- X B. A building/_____ permit shall be required before beginning construction.
- C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/are not required.
- X D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. Wood frame construction an exterior wall erected within 6' 0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3' 0" of lot line. A minimum 8" masonry firewall is required if construction is on the lot line.
- F. Requested variance conflicts with the Baltimore County Building Code, Section/s _____
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 305 and the required construction classification of Table 214.
- X I. Comments - It is assumed a professional has been consulted on the proposed addition and that it can be added to the existing building under the 1978 B.O.C.A. Code.

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit.
If desired additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., Towson.

Very truly yours,
Charles E. Burnham
Charles E. Burnham, Chief
Plans Review

CEB:rrj

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

TED ZALESKI JR.
DIRECTOR

April 14, 1980

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #168 Zoning Advisory Committee Meeting, April 15, 1980 are as follows:

Property Owner: Towson YMCA
Location: S/S Allegany Ave. 480' W Highland Ave.
Existing Zoning: D.R. 3-5
Proposed Zoning: Special Hearing to amend Case No. 67-136-X to allow for expansion.

Address: 17.19
District: 9th

The items checked below are applicable:

- X A. All structures shall conform to the Baltimore County Building Code 1978, the State of Maryland Code for the Handicapped and Aged; and other applicable Codes.
- X B. A building/_____ permit shall be required before beginning construction.
- C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/are not required.
- X D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. In wood frame construction an exterior wall erected within 6' 0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3' 0" of lot line. A minimum 8" masonry firewall is required if construction is on the lot line.
- F. Requested variance conflicts with the Baltimore County Building Code, Section/s _____
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- X H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 305 and the required construction classification of Table 214.
- I. Comments -

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit.
If desired additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., Towson.

Very truly yours,
Charles E. Burnham
Charles E. Burnham, Chief
Plans Review

CEB:rrj

LAW OFFICES
WHITEFORD, TAYLOR, PRESTON, TRIMBLE & JOHNSON

2000 FIRST MARYLAND BUILDING
25 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201
301 752-0987

May 19, 1980

W. CONRAD TAYLOR, JR.
W. LEON D. PRESTON, JR.
ERNEST C. TRIMBLE
EDWARD G. JOHNSON
GEORGE S. WHITE
ROBERT C. HILF
WILLIAM W. NICHOLSON
LOUIS B. COLLIER
WILLIAM B. WHITEFORD
DAVID B. HOFF
WALTER H. STONE
ROBERT M. HENNING
BENJAMIN FORD DAVIS
ALBERT B. THOMAS
J. ADRIAN WYLLIE
ADRIAN WYLLIE, JR.
JOHN F. QUINN
HEAD OF THE OFFICE
JOHN A. HANCOCK II
RICHARD J. BRIDG
WARD B. COLE II

Mr. W. E. Hammond
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Towson YMCA
Case No. 80-232-SPH

Dear Mr. Hammond:

I met with officials of the Towson YMCA subsequent to the hearing on May 13, 1980. As a result of the complaints of the neighbors voiced at that hearing, the YMCA wishes to withdraw its request for additional parking, as requested in its petition to the Zoning Office. The additional parking does not appear to be required under zoning regulations in the event the special exception for the addition of handball courts is granted.

The deletion of the additional parking will substantially abate the neighborhood problems concerning storm water runoff.

The YMCA still wishes to pursue its request for the four handball/racquetball courts. The YMCA will consent to a conditional order requiring the YMCA to install a storm water management system which will limit the rate of flow of runoff to the rate of flow that existed prior to construction of the handball/racquetball courts.

We are advised that this can be done either by a roof top retention system or a reservoir to accumulate and store runoff for measured release.

Yours very truly,

Richard C. Whiteford
Richard C. Whiteford

RCW:THC

CC: Dr. Loren D. Jensen
Mr. John W. Pyrie
Mr. John Burgess

406 Campbell Lane
Towson, Maryland 21204
August 15, 1980

Hon. William E. Hammond
Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Re: Towson YMCA
No. 80-232 SPH (Item 168)
Order dated July 24, 1980

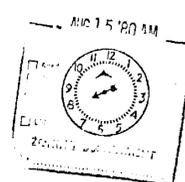
Dear Mr. Hammond:

Please note an appeal to the County Board of Appeals from your order, dated July 24, 1980, as above captioned. This appeal is being taken by myself and my wife, Lois K. Baldwin. Enclosed herewith is my check in the amount of forty-five dollars (\$45.00) to cover the cost of the appeal as per instructions of Ms. Mary Campagna of your office.

Very truly yours,

William S. Baldwin
William S. Baldwin

Enclosure



Case No. 80-232-SPH

Mrs. Joan Moore
512 W. Chesapeake Avenue
Towson, Maryland 21204

Protestant

Mr. G.F. Hanson
303 Dixie Drive
Towson, Maryland 21204

"

Mrs. Mary Ginn
606 Horncrest Road
Towson, Maryland 21204

"

John W. Hessian, III, Esquire

People's Counsel

James E. Dyer

Request Notification

406 Campbell Lane
Towson, Maryland 21204
August 15, 1980

Hon. William E. Hammond
Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Re: Towson YMCA
No. 80-232 SPH (Item 168)
Order dated July 24, 1980

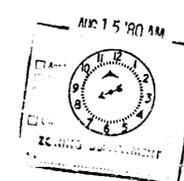
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Very truly yours,

William S. Baldwin
William S. Baldwin

Enclosure



80-1116

LAW OFFICES
WHITEFORD, TAYLOR, PRESTON, TRIMBLE & JOHNSTON
2000 FIRST MARYLAND BUILDING
25 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201
301 752-0987

MAY 19 1980

Mr. W. E. Hammond
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Towson YMCA
Case No. 80-232-SPH

Dear Mr. Hammond:

I met with officials of the Towson YMCA subsequent to the hearing on May 13, 1980. As a result of the complaints of the neighbors voiced at that hearing, the YMCA wishes to withdraw its request for additional parking, as requested in its petition to the Zoning Office. The additional parking does not appear to be required under zoning regulations in the event the special exception for the addition of handball courts is granted.

The deletion of the additional parking will substantially abate the neighborhood problems concerning storm water runoff.

The YMCA still wishes to pursue its request for the four handball/racquetball courts. The YMCA will consent to a conditional order requiring the YMCA to install a storm water management system which will limit the rate of flow of runoff to the rate of flow that existed prior to construction of the handball/racquetball courts.

We are advised that this can be done either by a roof top retention system or a reservoir to accumulate and store runoff for measured release.

Yours very truly,
Richard C. Whiteford

RCW:TMC
CC: Dr. Loren D. Jensen
Mr. John W. Pyle
Mr. John Burgess

LAW OFFICES
WHITEFORD, TAYLOR, PRESTON, TRIMBLE & JOHNSTON
2000 FIRST MARYLAND BUILDING
25 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201
301 752-0987

AUGUST 21, 1980

Ms. Sondia Jones
Office of Planning & Zoning
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Towson YMCA Zoning Appeal
Case No. 80-232-SPH

Dear Ms. Jones:

In accordance with our telephone conversation, I have enclosed Amended Notice of Appeal on behalf of my client, Towson YMCA, from the Order dated July 24, 1980, together with check for \$45 to cover filing fee.

Yours very truly,
Richard C. Whiteford

RCW:TMC
Encs.
CC: Mr. John W. Burgess
Executive Director
Towson YMCA

Mr. Loren Jensen
Mr. William S. Baldwin
Mrs. Berkley Matthews
Mr. Anthony Lavazzo
Mrs. Joan Moore
Mr. G. F. Hanson
Mrs. Mary Ginn
John W. Hessian, III, Esquire

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

AUGUST 22, 1980

Richard C. Whiteford, Esquire
2000 First Maryland Building
Baltimore, Maryland 21201

RE: Petition for Special Hearing
S/S of Allegheny Ave., 490' W of
Highland Avenue
Towson YMCA - Petitioner
Case No. 80-232-SPH

Dear Mr. Whiteford:

Please be advised that an Appeal has been filed by Mr. & Mrs. William S. Baldwin, Protestants, from the decision rendered by the Zoning Commissioner of Baltimore County in the above-referenced matter.

You will be notified of the date and time of the appeal hearing when it is scheduled by the County Board of Appeals.

Very truly yours,
William E. Hammond
Zoning Commissioner

WEH:sj
cc: Mr. Loren Jensen
Mr. William S. Baldwin
Mrs. Berkley Matthews
Mrs. Joan Moore
Mr. G. F. Hanson
Mr. Mary Ginn
John W. Hessian, III, Esquire

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

JULY 24, 1980

Richard C. Whiteford, Esquire
2000 First Maryland Building
Baltimore, Maryland 21201

RE: Petition for Special Hearing
S/S of Allegheny Avenue, 490' W
of Highland Avenue - 9th Election
District
Towson YMCA - Petitioner
NO. 80-232-SPH (Item No. 166)

Dear Mr. Whiteford:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours,
William E. Hammond
Zoning Commissioner

WEH/erl

Attachments

cc: Mr. Loren Jensen
10 Burnbrae Road
Towson, Maryland 21204

Mrs. Joan Moore
512 West Chesapeake Avenue
Towson, Maryland 21204

Mr. William S. Baldwin
406 Campbell Lane
Towson, Maryland 21204

Mr. G. F. Hanson
303 Dixie Drive
Towson, Maryland 21204

Mrs. Berkley Matthews
612 Joppa Road
Towson, Maryland 21204

Mrs. Mary Ginn
606 Horncrest Road
Towson, Maryland 21204

Mr. Anthony Lavazzo
612 Allegheny Avenue
Towson, Maryland 21204

John W. Hessian, III, Esquire
People's Counsel

COLUMBIA OFFICE
WALTER PARK
Registered Surveyor
PHONE 730-9060

TOWSON OFFICE
HUDKINS ASSOCIATES, INC.
Engineers, Surveyors and
Landscape Architects
200 EAST JOPPA ROAD
ROOM 101, SHELL BUILDING
TOWSON, MARYLAND 21204
PHONE: 828-9060

DEL AIR OFFICE
L. GERALD WOLFF
Landscape Architect
PHONE 838-0888

APR 7 '80

REVISED PLANS
Item 16B

November 12, 1979
Revised February 7, 1980
April 4, 1980

DESCRIPTION FOR SPECIAL HEARING- Y.M.C.A. PROPERTY

Beginning for the same at a point in the centerline of Allegheny Avenue said point being westerly 480 feet + measured along the centerline of said Allegheny Avenue from the centerline of Highland Avenue thence binding along the said centerline of Allegheny Avenue North 64 degrees 38 minutes West 122.25 feet thence South 26 degrees 36 minutes West 510.00 feet thence North 77 degrees 21 minutes West 205.08 feet more or less thence South 89 degrees 09 minutes West 149.5 feet thence South 80 degrees 54 minutes West 122 feet thence South 56 degrees 09 minutes West 338 feet thence South 53 degrees 39 minutes West 114 feet thence South 28 degrees 39 minutes West 88 feet thence South 18 degrees 54 minutes West 90 feet thence South 38 degrees 54 minutes West 52 feet thence South 45 degrees 39 minutes West 88 feet thence South 21 degrees 09 minutes West 177 feet thence South 06 degrees 39 minutes West 84 feet to the centerline of Chesapeake Avenue thence binding thereon South 85 degrees 09 minutes East 76 feet thence North 71 degrees 06 minutes East 60 feet thence North 73 degrees 51 minutes East 304 feet thence South 88 degrees 24 minutes East 40 feet thence South 81 degrees 54 minutes East 140 feet thence North 86 degrees 21 minutes East 80 feet thence North 77 degrees 36 minutes East 70 feet thence North 69 degrees 36 minutes East 203 feet thence North 71 degrees 51 minutes East 160 feet thence North 84 degrees 06 minutes East 40.17 feet thence leaving the

Page 2

said centerline of Chesapeake Avenue North 26 degrees 01 minutes East 558.25 feet thence North 77 degrees 21 minutes West 122.58 feet thence North 26 degrees 01 minutes East 290.5 feet to the place of beginning, Containing 16.77 Acres of land more or less.

Malcolm E. Hudkins
Registered Surveyor #5095

COLUMBIA OFFICE
WALTER PARK
Registered Surveyor
PHONE 730-9060

TOWSON OFFICE
HUDKINS ASSOCIATES, INC.
Engineers, Surveyors and
Landscape Architects
200 EAST JOPPA ROAD
ROOM 101, SHELL BUILDING
TOWSON, MARYLAND 21204
PHONE: 828-9060

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L. GERALD WOLFF
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PHONE 838-0888

APR 7 '80 P

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Malcolm E. Hudkins
Registered Surveyor #5095

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North 26 degrees 01 minutes East 290.5 feet to the place of beginning,
Containing 17.19 Acres of land more or less.

Malcolm E. Hudkins


Malcolm E. Hudkins
Registered Surveyor #5095

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Malcolm E. Hudkins


Malcolm E. Hudkins
Registered Surveyor #5095

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, TOWSON YMCA legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing Under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an amendment to Case 67-136X for expansion and an amendment to the plan filed with that hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser John Burgess, Executive Director Legal Owner

Address Towson YMCA Address 400 E. Chesapeake Towson, MD.

Richard C. Whiteford Petitioner's Attorney
Whiteford, Taylor, Preston, et al. Protestant's Attorney
Address 2000 First Maryland Building
Baltimore, Maryland 21201

ORDERED By the Zoning Commissioner of Baltimore County, this _____ day of _____, 196____, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of _____, 196____, at _____ o'clock _____ M.

PETITION FOR SPECIAL HEARING

9th District

ZONING: Petition for Special Hearing
LOCATION: South side of Allegheny Avenue, 480 feet West of Highland Avenue
DATE & TIME: Tuesday, May 13, 1980 at 1:30 P.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an amendment to the site plan filed with Special Exception Case No. 67-136-X to allow the construction of an addition for handball courts and expansion of the existing parking areas

All that parcel of land in the Ninth District of Baltimore County

Being the property of Towson YMCA, as shown on plat plan filed with the Zoning Department

Hearing Date: Tuesday, May 13, 1980 at 1:30 P.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAZEN
ZONING COMMISSIONER
OF BALTIMORE COUNTY

PETITION FOR SPECIAL HEARING

9th District

ZONING: Petition for Special Hearing
LOCATION: South side of Allegheny Avenue, 480 feet West of Highland Avenue
DATE & TIME: Tuesday, May 13, 1980 at 1:30 P.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

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Petition for Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an amendment to the site plan filed with Special Exception Case No. 67-136-X to allow the construction of an addition for handball courts and expansion of the existing parking areas

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Being the property of Towson YMCA, as shown on plat plan filed with the Zoning Department

Hearing Date: Tuesday, May 13, 1980 at 1:30 P.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAZEN
ZONING COMMISSIONER
OF BALTIMORE COUNTY

April 16, 1980

Richard C. Whiteford, Esquire
Whiteford, Taylor, Preston, Trimble & Johnston
2000 First Maryland Building
Baltimore, Maryland 21201

NOTICE OF HEARING

RE: Petition for Special Hearing - 8/3 Allegheny Ave., 480' W of Highland Ave - Towson YMCA - Case No. 80-232-SFH

TIME: 1:30 P.M.

DATE: Tuesday, May 13, 1980

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

William E. Hazen
ZONING COMMISSIONER OF
BALTIMORE COUNTY

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
August 17, 1981

Richard C. Whiteford, Esq.
2000 First Maryland Bldg.
Baltimore, Md. 21201

Re: Towson YMCA
Case No. 80-232-SPH

Dear Mr. Whiteford:

Notice is hereby given, in accordance with the Rules of Procedure of the Court of Appeals of Maryland, that an appeal has been taken to the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter.

Enclosed is a copy of the Certificate of Notice.

Very truly yours,

June Holmen
June Holmen, Secretary

- Encl.
cc: Towson YMCA
Mr. Loren Jensen
Mr. William Baldwin
Mrs. Berkley Matthews
Mr. Anthony Lavazzo
Mrs. Joan Moore
Mr. G. F. Hanson
Mrs. Mary Ginn
Mr. J. E. Dyer
Mr. William Hammond

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW
Misc. Docket No. 13
Folio No. 264
File No. 7614

CERTIFICATE OF NOTICE

Mr. Clerk:

Pursuant to the provisions of Rule B-2(d) of the Maryland Rules of Procedure, William T. Hackett, John A. Miller, and John V. Murphy, constituting the County Board of Appeals of Baltimore County, have given notice by mail of the filing of the appeal to the representative of every party to the proceeding before it; namely, Richard C. Whiteford, Esq., 2000 First Maryland Bldg., Baltimore, Md. 21201, Counsel for the Petitioner; Towson YMCA, Mr. John Burgess, Executive Director, 600 W. Chesapeake Ave., Towson, Md. 21204, Petitioner; Mr. Loren Jensen, 10 Burnbrae Rd., Towson, Md., 21204, Protestant; Mr. William S. Baldwin, 406 Campbell Lane, Towson, Md. 21204, Protestant; Mrs. Berkley Matthews, 612 Joppa Rd., Towson, Md. 21204, Protestant; Mr. Anthony Lavazzo, 612 Allegheny Ave., Towson, Md. 21204, Protestant; Mrs. Joan Moore, 512 W. Chesapeake Ave., Towson, Md. 21204, Protestant; Mr. G. F. Hanson, 303 Dixie Dr., Towson, Md. 21204, Protestant; Mrs. Mary Ginn, 606 Horncrest Road, Towson, Md. 21204, Protestant; and John W. Hession, III, Esq., Court House, Towson, Md., 21204, People's Counsel for Baltimore County, a copy of which Notice is attached hereto and prayed that it may be made a part thereof.

June Holmen
County Board of Appeals of Baltimore County
Rm. 200, Court House, Towson, Md. 21204
Telephone: 494-3160

said centerline of Chesapeake Avenue North 26 degrees 01 minutes East
558.25 feet thence North 77 degrees 21 minutes West 122.58 feet thence
North 26 degrees 01 minutes East 290.5 feet to the place of beginning.
Containing 16.77 Acres of land more or less.

Malcolm E. Hudkins
Malcolm E. Hudkins
Registered Surveyor #5095

Towson YMCA
Case No. 80-232-SPH

I HEREBY CERTIFY that a copy of the foregoing Certificate of Notice has been mailed to Richard C. Whiteford, Esq., 2000 First Maryland Bldg., Baltimore, Md., 21201, Counsel for the Petitioner; Towson YMCA, Mr. John Burgess, Executive Director, 600 W. Chesapeake Ave., Towson, Md. 21204, Petitioner; Mr. Loren Jensen, 10 Burnbrae Rd., Towson, Md. 21204, Protestant; Mr. William S. Baldwin, 406 Campbell Lane, Towson, Md. 21204, Protestant; Mrs. Berkley Matthews, 612 Joppa Rd., Towson, Md. 21204, Protestant; Mr. Anthony Lavazzo, 612 Allegheny Ave., Towson, Md. 21204, Protestant; Mrs. Joan Moore, 512 W. Chesapeake Ave., Towson, Md. 21204, Protestant; Mr. G. F. Hanson, 303 Dixie Dr., Towson, Md. 21204, Protestant; Mrs. Mary Ginn, 606 Horncrest Road, Towson, Md. 21204, Protestant; and John W. Hession, III, Esq., Court House, Towson, Md. 21204, People's Counsel for Baltimore County, on this 17th day of August, 1981.

June Holmen
June Holmen
County Board of Appeals of Baltimore County

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204

YMCA

Mr. Anthony Lavazzo
612 Allegheny Ave.
Towson, Md. 21204

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
August 17, 1981

John W. Hession, Esq.
People's Counsel
Court House
Towson, Md. 21204

Dear Mr. Hession:

Re: Case No. 80-232-SPH
Towson YMCA

In accordance with Rule B-7 (a) of the Rules of Procedure of the Court of Appeals of Maryland, the County Board of Appeals is required to submit the record of proceedings of the zoning appeal which you have taken to the Circuit Court for Baltimore County in the above matter within thirty days.

The cost of the transcript of the record must be paid by you. Certified copies of any other documents necessary for the completion of the record must also be at your expense.

The cost of the transcript, plus any other documents, must be paid in time to transmit the same to the Circuit Court not later than thirty days from the date of any petition you might file in court, in accordance with Rule B-7 (a).

Enclosed is a copy of the Certificate of Notice; also invoice covering the cost of certified copies of necessary documents.

Very truly yours,

June Holmen
June Holmen, Secy.

Encls.

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

May 1, 1980

Richard C. Whiteford, Esquire
Whiteford, Taylor, Preston, Trimble & Johnston
2000 First Maryland Building
Baltimore, Maryland 21201

RE: Petition for Special Hearing
S/S Allegheny Ave., 480' W of Highland
Avenue - Towson YMCA - Case #80-232-SPH

Dear Mr. Whiteford:

This is to advise you that \$73.50 is due for advertising and posting of the above-property.

Please make check payable to Baltimore County, Maryland and remit to Sandra Jones, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

WEE:ej

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
August 17, 1981

Richard C. Whiteford, Esq.
2000 First Maryland Bldg.
Baltimore, Md. 21201

Dear Mr. Whiteford:

Re: Towson YMCA
Case No. 80-232 SPH

Notice is hereby given, in accordance with the Rules of Procedure of the Court of Appeals of Maryland, that an appeal has been taken to the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter.

Enclosed is a copy of the Certificate of Notice.

Very truly yours,

June Holmen
June Holmen, Secretary

- Encl.
cc: Towson YMCA
Mr. Loren Jensen
Mr. William Baldwin
Mrs. Berkley Matthews
Mr. Anthony Lavazzo
Mrs. Joan Moore
Mr. G. F. Hanson
Mrs. Mary Ginn
Mr. J. E. Dyer
Mr. William Hammond

COLUMBIAN OFFICE
WALTER PARK
Registered Surveyor
PHONE 738-0060

TOWSON OFFICE
HUDKINS ASSOCIATES, INC.
Engineers, Surveyors and
Landscape Architects
200 EAST JOPPA ROAD
ROOM 101, SHELL BUILDING
TOWSON, MARYLAND 21204
PHONE: 828-9060

BEL AIR OFFICE
L. GERALD WOLFF
Landscape Architect
PHONE 838-0888

REVISED PLANS

NOV 12 1979
REVISED FEBRUARY 7, 1980
APRIL 4, 1980

DESCRIPTION FOR SPECIAL HEARING- Y.M.C.A. PROPERTY

Beginning for the same at a point in the centerline of Allegheny Avenue said point being westerly 480 feet ± measured along the centerline of said Allegheny Avenue from the centerline of Highland Avenue thence binding along the said centerline of Allegheny Avenue North 64 degrees 38 minutes West 122.25 feet thence South 26 degrees 36 minutes West 512.00 feet thence North 77 degrees 21 minutes West 105.06 feet more or less thence South 69 degrees 09 minutes West 149.5 feet thence South 80 degrees 54 minutes West 122 feet thence South 56 degrees 09 minutes West 308 feet thence South 53 degrees 39 minutes West 114 feet thence South 28 degrees 39 minutes West 88 feet thence South 18 degrees 54 minutes West 90 feet thence South 38 degrees 54 minutes West 52 feet thence South 45 degrees 39 minutes West 88 feet thence South 21 degrees 09 minutes West 177 feet thence South 05 degrees 39 minutes West 84 feet to the centerline of Chesapeake Avenue thence binding thereon South 85 degrees 09 minutes East 76 feet thence North 71 degrees 06 minutes East 60 feet thence North 73 degrees 51 minutes East 304 feet thence South 88 degrees 24 minutes East 40 feet thence South 81 degrees 54 minutes East 140 feet thence North 66 degrees 21 minutes East 80 feet thence North 77 degrees 36 minutes East 70 feet thence North 69 degrees 36 minutes East 203 feet thence North 71 degrees 51 minutes East 160 feet thence North 84 degrees 06 minutes East 40.17 feet thence leaving the

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
July 16, 1981

Richard C. Whiteford, Esq.
2000 First Maryland Bldg.
Baltimore, Md. 21201

Re: Case No. 80-232-SPH
Towson YMCA

Dear Mr. Whiteford:

Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

June Holmen
June Holmen, Secretary

Encl.

cc: Towson YMCA
Mr. Loren Jensen
Mr. W. S. Baldwin
Mrs. Berkeley Matthews
Mr. Anthony Lavazzo
Mrs. Joan Moore
Mr. G. F. Hanson
Mrs. Mary Ginn
J. W. Hession, Esq.
J. E. Dyer
W. Hammond

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204



Mr. Anthony Lavazzo
612 Allegheny Ave.
Towson, Md. 21204

RE: SPECIAL HEARING : BEFORE
Amendment to site plan : COUNTY BOARD OF APPEALS
South side Allegheny Avenue, : OF
480' west of Highland Avenue :
9th District :
TOWSON YMCA, : BALTIMORE COUNTY
Petitioner : No. 80-232-SPH

OPINION

This case comes before this Board on appeal from a decision of the Zoning Commissioner dated July 24, 1980, granting the amendment to the site plan filed in Case No. 67-136-X to allow the construction of some additional hand-ball courts to the facility with restrictions. It should be noted that an appeal to this Order was taken by a protestant and an appeal from the petitioner also. The petitioner's appeal, however, relates only to their compliance with restriction #1.

Petitioner's appeal centered on the wording of Restriction #1, requiring storm water control for all improvements on the property since January 16, 1967, including the proposed addition. Mr. David Billingsley, a design engineer with Hudkins Associates, testified that a holding pond could be built in such a manner that the water run-off could be adequately controlled from the existing buildings plus the proposed hand-ball courts and the tennis courts, this being about 3 1/2 acres of impervious area, but that there was no practical way to control the water run-off from the existing parking area. He presented the Board a topo-map of this location as Petitioner's Exhibit B to substantiate this. Dr. Loren Jensen, a property owner whose holdings about the subject site to the north, testified in favor of this proposal as did John W. Burgess, Executive Director of this Y.M.C.A.

William Baldwin, 406 Camel Lane, whose property abuts the subject site to the east, testified in opposition to the granting of this amended site plan. He testified that he has resided there since 1964, before the Y.M.C.A. acquired this property. He stated that there are severe icing conditions on Chesapeake Avenue in the winter, generated

Towson YMCA
Case No. 80-232-SPH

by the water run-off from this facility. He also stated that there are some traffic problems at present and could only visualize these as being compounded by the additional facilities requested. He also stated there are other discipline problems associated with the present use, i.e., drag races at night, no fencing on perimeters, considerable debris from the restaurant and sandwich shop, and problems with pedestrian traffic using his property as a short-cut to the Y.M.C.A. For all these reasons, Mr. Baldwin objected to the granting of the amended site plan allowing the additional hand-ball courts and accompanying increase in activities.

After consideration of all the testimony and evidence presented the Board this day, the Board is of the opinion that the Zoning Commissioner's Order should be affirmed. Mr. Baldwin's testimony was carefully considered. Since the new proposal for control of water run-off will divert some water now going onto Chesapeake Avenue to the holding pond, the icing condition could be improved. The other problems associated with the use of the subject site would not be cured by denying petitioner's request and in the opinion of the Board would not be significantly worsened by its granting. On recall testimony, Mr. Burgess testified that he is working with the police department on patrolling the property and has now employed custodians to remain on the property through the night time hours. For all these reasons, the Board will affirm the Order of the Zoning Commissioner dated July 24, 1980, with the exception that Restriction #1 be amended and will so order.

ORDER

For the reasons set forth above, it is this 16th day of July, 1981, by the County Board of Appeals, ORDERED that the Order of the Zoning Commissioner dated July 24, 1980, be AFFIRMED with the following restrictions:

- 1. The construction or installation of a storm water retention facility, as approved by the Department of Public Works, sufficient to handle the storm water run-off from the existing buildings, existing tennis courts and the proposed additional hand-ball courts. No change in the water run-off control from the existing parking lot is to be required.

Towson YMCA
Case No. 80-232-SPH

- 2. The placement of trash containers, as approved by the Office of Planning and Zoning, so as to minimize the dumping or depositing of trash on neighboring properties.
- 3. The development of a plan of security to prevent the parking of vehicles on the Petitioner's property by those persons not availing themselves of the Petitioner's facilities.
- 4. A revised site plan shall be submitted, incorporating thereon all of the above restrictions and deleting therefrom the proposed parking adjacent to the easterly property line, and approved by the Department of Public Works and the Office of Planning and Zoning, including landscaping and screening approval by the Current Planning and Development Division.

It is FURTHER ORDERED that the amendment to the site plan filed in Case No. 67-136-X to provide parking adjacent to the easterly property line, as requested in the herein Petition for Special Hearing, be and the same is hereby DISMISSED with prejudice.

Any appeal from this decision must be in accordance with Rules B-1 thru B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett
William T. Hackett, Chairman

John A. Miller
John A. Miller

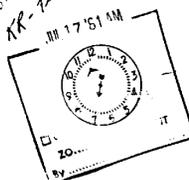
John V. Murphy
John V. Murphy

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond, Zoning Commissioner
Office of Planning and Zoning
Date: Aug. 17, 1981
TO: William T. Hackett, Chairman
FROM: County Board of Appeals
SUBJECT: Certified copies of zoning documents
TOWSON YMCA - Case No. 80-232-SPH

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
July 16, 1981



Richard C. Whiteford, Esq.
2000 First Maryland Bldg.
Baltimore, Md. 21201

Re: Case No. 80-232-SPH
Towson YMCA

Dear Mr. Whiteford:

Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

June Holmen
June Holmen, Secretary

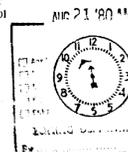
Encl.

cc: Towson YMCA
Mr. Loren Jensen
Mr. W. S. Baldwin
Mrs. Berkeley Matthews
Mr. Anthony Lavazzo
Mrs. Joan Moore
Mr. G. F. Hanson
Mrs. Mary Ginn
J. W. Hession, Esq.
J. E. Dyer
W. Hammond

LAW OFFICES
WHITEFORD, TAYLOR, PRESTON, TRIMBLE & JOHNSTON

2000 FIRST MARYLAND BUILDING
25 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201
301 752-0287

August 20, 1980



Mr. William E. Hammond
Zoning Commissioner of
Baltimore County
Office of Planning & Zoning
Towson, Maryland 21204

Re: Towson YMCA Zoning Appeal
Case No. 67-136-X

Dear Mr. Hammond:

I have enclosed Notice of Appeal on behalf of my client, Towson YMCA, from the Order in the above matter dated July 24, 1980.

Yours very truly,

Richard C. Whiteford
Richard C. Whiteford

RCW:IMC
Enc.

cc: Mr. John W. Burgess
Executive Director
Towson YMCA

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1
Posted for: *Richard C. Whiteford*
Petitioner: *Towson YMCA*
Location of property: *25 South Charles Street, Baltimore, Md.*
Location of Signage: *25 South Charles Street, Baltimore, Md.*
Remarks: *See attached*
Date of Posting: *8-17-80*
Date of return: *8-17-80*
Signature: *John V. Murphy*

PETITION FOR SPECIAL HEARING

9th District
 Location: South side of Allegheny Avenue, 400 feet West of Highland Avenue.
 Date & Time: Tuesday, May 13, 1980 at 1:30 P.M.
 Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
 The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hear a public hearing.

The Essex Times

Essex, Md., April 24 1980
 This is to Certify, That the annexed Special Hearing was inserted in The Essex Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 24th day of April, 1980
S. J. D. Wolfe Publisher.

PETITION FOR SPECIAL HEARING

9th District
 Location: South side of Allegheny Avenue, 400 feet West of Highland Avenue.
 Date & Time: Tuesday, May 13, 1980 at 1:30 P.M.
 Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
 The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hear a public hearing.

CERTIFICATE OF PUBLICATION

TOWSON, MD., April 24, 1980
 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once before the 24th day of April, 1980, the first publication appearing on the 24th day of April, 1980.
 THE JEFFERSONIAN,
L. Frank Stricker Manager.
 Cost of Advertisement, \$ 35.00

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
 111 W. Chesapeake Avenue
 Towson, Maryland 21204
 Your Petition has been received and accepted for filing this 7th day of April, 1980
William E. Hammond
 Zoning Commissioner
 Petitioner Towson YMCA
 Petitioner's Attorney Richard C. Whitford, Esq. Reviewed by Nicholas B. Commodari
 Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
 111 W. Chesapeake Avenue
 Towson, Maryland 21204
 Your Petition has been received this 12 day of April, 1980.
 Filing Fee \$ 25 Received: Check Cash Other
William E. Hammond
 William E. Hammond, Zoning Commissioner
 Petitioner Towson YMCA Submitted by _____
 Petitioner's Attorney Richard C. Whitford Reviewed by CT
 *This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

No. 088820
 DATE May 13, 1980 ACCOUNT 01-662
 AMOUNT \$78.50
 RECEIVED FROM Towson YMCA
 FOR Advertising and Posting for Case No. 80-232-SPH
Richard C. Whitford 79.50
 VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

No. 091702
 DATE August 22, 1980 ACCOUNT 01-662
 AMOUNT \$45.00
 RECEIVED FROM Richard C. Whitford, Esquire
 FOR Filing Fee for Appeal of Case No. 80-232-SPH
Richard C. Whitford 45.00
 VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland
 District 9 Date of Posting 4/27/80
 Posted for: Petition for Special Hearing
 Petitioner: Towson YMCA
 Location of property: 315 Allegheny Ave., 400' N. of Highland Ave.
 Location of Signs: Allegheny Ave entrance, Chesapeake Ave entrance
 Remarks: Blair Edman Date of return: 5/2/80
 Posted by Blair Edman Signature Date of return: 5/2/80

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>CT</u>	Revised Plans:		Change in outline or description		Yes		No			
Previous case: <u>67-136X</u>	Map #									

PETITION FOR SPECIAL HEARING

9th District
 Location: South side of Allegheny Avenue, 400 feet West of Highland Avenue.
 Date & Time: Tuesday, May 13, 1980 at 1:30 P.M.
 Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
 The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hear a public hearing.

CERTIFICATE OF PUBLICATION

TOWSON, MD., April 24, 1980
 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once before the 13th day of May, 1980, the first publication appearing on the 24th day of April, 1980.
 THE JEFFERSONIAN,
L. Frank Stricker Manager.
 Cost of Advertisement, \$ _____

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>CT</u>	Revised Plans:		Change in outline or description		Yes		No			
Previous case: <u>67-136X</u>	Map #									

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

No. 089637
 DATE August 22, 1980 ACCOUNT 01-662
 AMOUNT \$45.00
 RECEIVED FROM William S. Baldwin
 FOR Filing Fee for Appeal of Case No. 80-232-SPH
William S. Baldwin 45.00
 VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland
 District 9 Date of Posting 4/27/80
 Posted for: Board of Appeals
 Petitioner: Towson YMCA
 Location of property: 315 Allegheny Ave., 400' N. of Highland Ave.
 Location of Signs: Allegheny Ave entrance, Chesapeake Ave entrance
 Remarks: Blair Edman Date of return: 5/2/80
 Posted by Blair Edman Signature Date of return: 5/2/80

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

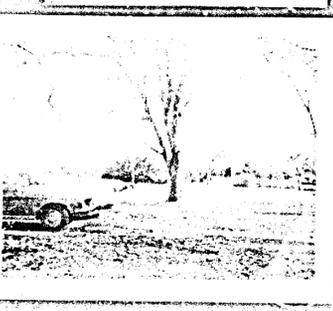
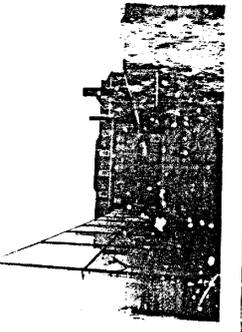
No. 86398
 DATE April 16, 1980 ACCOUNT 01-662
 AMOUNT \$25.00
 RECEIVED FROM Towson YMCA
 FOR Filing Fee for Case No. 80-232-SPH
Richard C. Whitford 25.00
 VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
 111 W. Chesapeake Avenue
 Towson, Maryland 21204
 Your Petition has been received and accepted for filing this 7th day of April, 1980
William E. Hammond
 William E. Hammond, Zoning Commissioner
 Petitioner Towson YMCA
 Petitioner's Attorney Richard C. Whitford, Esq. Reviewed by Nicholas B. Commodari
 Chairman, Zoning Plans Advisory Committee

CASE NO. 13/264/7614 AT LAW

People's Counsel VS. Towson YMCA
 RECEIVED FROM THE COUNTY BOARD OF APPEALS TRANSCRIPT, CERTIFIED DOCUMENTS, EXHIBITS, AND BOARD'S ANSWER FILED IN THE ABOVE ENTITLED CASE.
John Butts
 Clerk's Office
 Date: 9/4/81



County Board of Appraisals
Room 219, Court House
Towson, Maryland 21284

Jan. 9, 1981

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND COMPLY WITH STRICT COMPLIANCE WITH BOARD RULES AND REGULATIONS. POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 267, COUNTY COUNCIL BILL # 108.

CASE NO. 80-232-SPH

TOWSON YMCA

Site plan
S. Allegheny Ave., 480' W of
Highland Ave.
9th District

7/24/80 - Z.C. (Hammond) GRANTED
amendment with restrictions

THURSDAY, APRIL 16, 1981, at 10 a.m.

Attorney for Petitioner

cc: Richard C. Whiteford, Esq.

Petitioner

Protestant

- Appellant

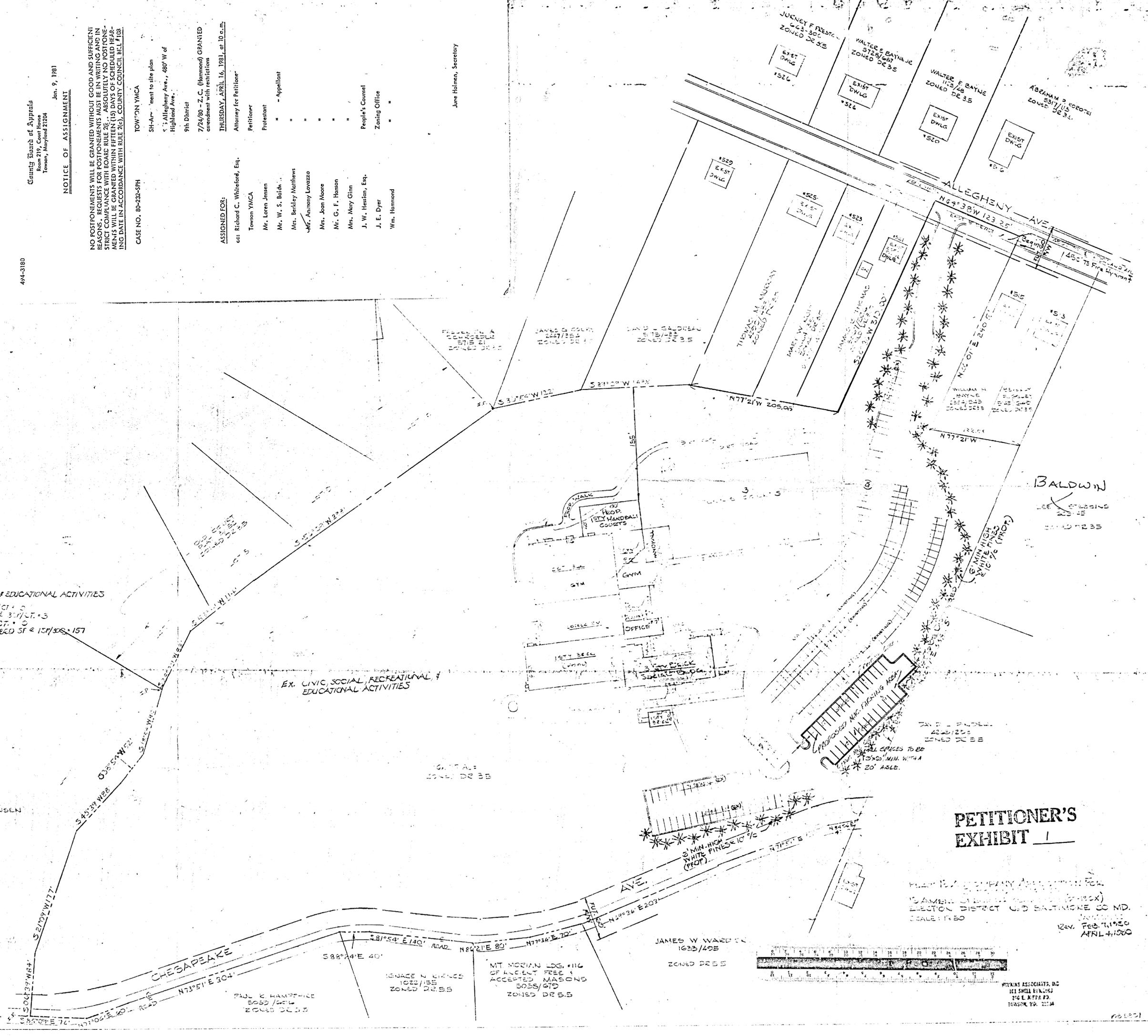
- Towson YMCA
- Mr. Loren Jensen
- Mr. W. S. Balch
- Mrs. Berkeley Matthews
- Mr. Anthony Lavazzo
- Mrs. Joan Moore
- Mr. G. F. Hanson
- Mrs. Mary Ginn
- J. W. Heslam, Esq.
- J. E. Dyer
- Wm. Hammond

June Holman, Secretary



LOCATION PLAN
SCALE: 1" = 500'

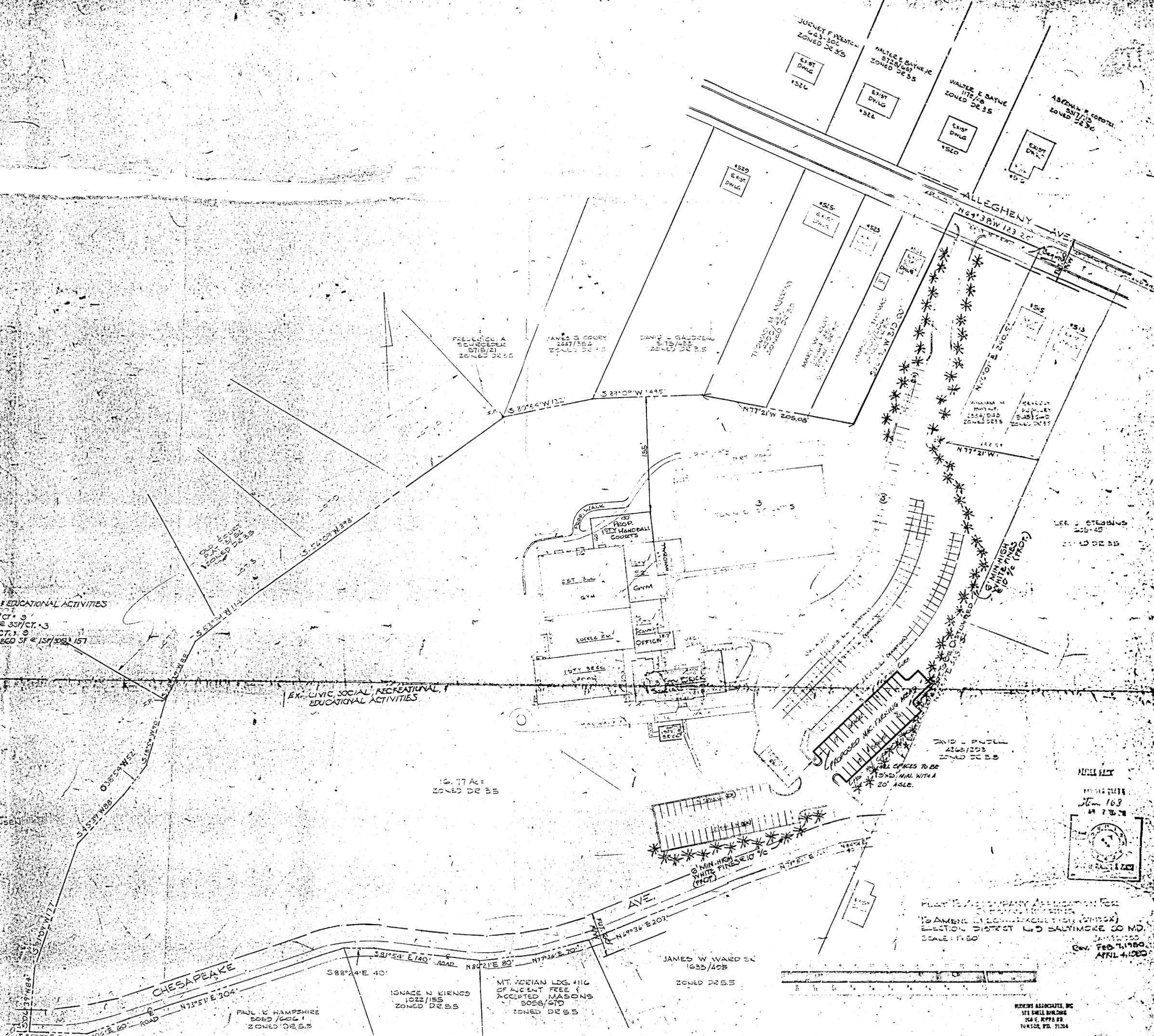
- NOTES:
1. AREA: 46,77 AC ±
 2. ZONING: DR 3.5
 3. CIVIC, SOCIAL, RECREATIONAL & EDUCATIONAL ACTIVITIES
 4. PROPOSED DEVELOPMENTS:
 - A. 1 BLDG. 53,000 SF ±
 - B. 1 SHOT HANDBALL COURT & 3 SHUT. ±
 - C. 3 TENNIS COURTS & 3 SHUT. ±
 - D. BLDG. AREA (REMAINING) 46,000 SF ± 157,000 ± 157
 - E. TOTAL REQ. 175
 - F. TOTAL PROVIDED 234



LOCATION PLAN
SCALE: 1"=200'

NOTES:

1. AREA: 16.77 AC. ±
2. ZONING: DR-35
3. CIVIC, SOCIAL, RECREATIONAL & EDUCATIONAL ACTIVITIES
4. PARKING REQUIREMENTS
5. A. 3 HANDBALL COURTS @ 3 SP/CT. ± 3
6. B. 1 EXIST. HANDBALL COURT @ 3 SP/CT. ± 3
7. C. 3 TENNIS COURTS @ 3 SP/CT. ± 3
8. D. BLDG AREA (REMAINDER) 16,860 SF @ 1 SP/308' ± 157
9. E. TOTAL REQ. ± 178
10. F. TOTAL PROVIDED ± 234



LOREN D. NENSEN
1140/566

16.77 AC ±
ZONED DR-35

EX. CIVIC, SOCIAL, RECREATIONAL,
EDUCATIONAL ACTIVITIES

DAN L. PUNELL
2262/223
ZONED DR-35



PLAN TO ACCOMPANY APPLICATION FOR
ZONING VARIATION
TO AMEND ZONING ORDINANCE (ZONING)
ELECTION DISTRICT NO. 3 BALTIMORE CO. MD.
SCALE: 1"=80'

DATE: FEB. 1, 1980
APRIL 4, 1980

RENNETT ASSOCIATES, INC.
121 SMALL BUILDING
704 E. RUPA ST.
TOWSON, MD. 21286